Composite statement: Detention in Afghanistan and Guantanamo Bay

Shafiq Rasul, Asif Iqbal and Rhuhel Ahmed

1. All three men come from Tipton in West Midlands, a poor area with a small community of Pakistani and Bangladeshi origin. The school all three attended is considered one of the worst in England. Rhuhel Ahmed and Asif Iqbal who are now both aged 22 were friends from school, although one year apart. Neither was brought up religiously but each was drawn towards Islam. Shafiq Rasul is now aged 27 and had a job working at the electronics store, Currys. He was also enrolled at the University of Central England.

2. This statement jointly made by them constitutes an attempt to set out details of their treatment at the hands of UK and US military personnel and civilian authorities during the time of their detention in Kandahar in Afghanistan in late December 2001 and throughout their time in American custody in Guantanamo Bay Cuba. This statement is a composite of the experiences of all 3. They are referred to throughout by their first names for brevity. There is far more that could be said by each, but that task is an open-ended one. They have tried to include the main features.

Detention in Afghanistan

3. All three men were detained in Northern Afghanistan on 28 November 2001 by forces loyal to General Dostum. They were loaded onto containers and transported to Sherbegan prison. The horrors of that transportation are well documented elsewhere and are not described in detail here.

4. According to information all three were given later, there were US forces present at the point they were packed into the containers together with almost 200 others. Asif became unconscious and awoke to find that in an attempt to allow air into the containers Dostum's forces had fired machine guns into the sides of the containers. Asif was struck in the arm by a bullet as a result. The journey to Sherbegan took nearly 18 hours and the containers were not opened until they reached the prison. All three men remained in the containers amongst the dead and dying throughout this time. Asif reports that to get water he had to lick the side of the container or wipe a cloth on the top of the container where the condensation had collected and squeeze the drips of water into his mouth. On arrival at Sherbegan of the 200 originally in the container only 20 were alive, some of them seriously injured.

Sherbegan Prison

5. This prison is an old fortress, a court yard surrounded by buildings open to the air. The 3 men were held in a room approximately 10m by 10m in which 70 men were held. After several days they were moved to another much smaller room with about 30 others.

6. Conditions in Sherbegan were appalling, Asif says; '***in the first week the only food we got was a tiny portion of bread per day and a very small amount of water. This was to last us the whole day***'. When the Red Cross arrived, after about a week, some more food was provided and also blankets. Shafiq was given plastic sandals at this point but Rhuhel and Asif were barefoot (their boots having been stolen by Dostum's forces). Asif had a 'Kameez' or traditional Pakistani top and jogging bottoms. Shafiq and Rhuhel each had a thin Kameez and Pakistani trousers known as 'shalwar'. These were thin summer clothes and provided no protection against the freezing weather, it being now December.

7. After one Red Cross visit a lorry load of grain was left to feed them which was however stolen by Dostum's forces. The prisoners had, in consequence less food than they had previously. It was at this point that conditions sharply deteriorated. Shafiq says that, '***we all had body and hair lice. They were big and would bite. I still have the scars from their bites on my body. We all got dysentery and the toilets were disgusting. It was just a hole in the ground with shit everywhere. The whole prison stank of shit and unwashed bodies***'. After the food rations were reduced the prisoners started fighting over food. Rhuhel says '***I was asleep and got up to pray. There was also food being distributed. I got my piece and there was a piece missing and someone accused me of having a piece extra and he attacked me'***.

8. Whilst in Sherbegan Asif's arm which had been injured in the container became infected but he was given no medical treatment other than some iodine and gauze.

9. They were held in Sherbegan for approximately 30 days during which the Red Cross saw them. They gave their names and asked for families in England to be contacted. Asif says '***the Red Cross told us that they had contacted the British Embassy in Islamabad, Pakistan and that the Embassy officials would be coming to see us on Friday. In fact on that day (28th December 2001) it was US Special Forces who arrived at the prison***'.

10. After their identities were revealed to the US forces, they were woken up one morning by the guards in Sherbegan and together with other "foreigners" they were herded towards the main gates. The weather was freezing. Shafiq says '***I had a pair of flimsy shoes supplied by the Red Cross but no socks. At this time I was extremely weak. I was suffering from dysentery and my clothes were extremely thin and provided very little protection from the weather. We were all covered in hair and body lice and I had not washed for at least 6 weeks and I was filthy***'.

11. As they stood at the main gate, US Special Forces personnel surrounded them pointing their guns. One by one they were stripped of all their clothes despite the freezing temperature. They stood there naked, being held by two of the Special Forces soldiers whilst their pictures were taken. They were searched and after about five minutes, they were allowed to put their clothes back on but were already suffering from the effects of the cold.

12. Shafiq says '***I was very weak. I had not eaten for at least two days and only a little water in the morning***'. All three believed that **'*"the British officials" would arrange for us to be taken out of the prison and possibly sent back to the UK even if that meant being interrogated by British officials***'.

First interrogation by U.S Army

13. After the search the men were taken into a room within the grounds of the prison. This location is best described as a shed and it offered very little protection from the cold. Shafiq describes the interrogations as follows, '***My hands and feet were tied with plastic cuffs. The room was about 5 foot by 5 foot and as I was dragged in, soldiers forced me onto my knees in front of an American soldier in uniform. There were no tables or chairs in the room. The soldier did not identify himself to me but straight away started asking questions. Whilst I was in this position, one of the soldiers who had come in with me stood in the corner of the room with a machine gun pointed at me. He said if you move that guy over there (with the gun) will shoot you. The American interrogator asked my name, where I was from and what I was doing in the prison. I was so weak that I was barely able to walk and had difficulty concentrating on the questions, but I answered as well as I could in the circumstances. The interview lasted about 10 minutes and was conducted in English. I think there were interpreters for some of the other foreign detainees. At the end of the interview I was asked how I was feeling, and I told the interrogator that I was scared. He said that this was nothing compared with what they could do to me'.***

14. Asif says of this first interrogation '***the soldier did not identify himself to me but straight away started asking questions. Whilst I was in this position there was a soldier in the room standing right next to me holding a black 9mm automatic pistol to my temple. The barrel of the pistol was actually touching my temple***'.

15. After the interrogation they were all placed outside the shed side by side. As soon as they walked out of the shed, an American soldier put a sandbag on their head and then wrapped thick masking tape around their head, to further cover their eyes. Asif says that '***despite this, it was just about possible to see underneath the masking tape and through the sand bag that was being used as a hood if you angled your head correctly. It was obviously impossible to properly***

distinguish between people and identify features, but I could roughly distinguish figures'. After the hood was placed on their head they were sat outside in the main yard against the wall. They were all sitting side by side in the freezing cold. They estimate that there were approximately 30 to 50 prisoners, all of whom were non Afghani.

16. The Special Forces were standing in a semi circle in front of them. They had to wait until all of the detainees were interrogated and for the Americans to bring transport to the prison. This meant that they were sitting with no shoes or socks, in flimsy clothes and legs and arms tied with tight plastic cuffs for at least three to four hours.

17. Rhuhel says '***I think we were all suffering from the cold, dehydration, hunger, the uncertainty as well as the pain caused by the plastic ties. Added to this, periodically Special Forces soldiers would walk along a line of sitting detainees and kick us or beat us at will***'. Asif adds that '***they would abuse us in English, constantly swearing and threatening us. I recall that one of them said "you killed my family in the towers and now it's time to get you back". They kept calling us mother fuckers and I think over the three or four hours that I was sitting there, I must have been punched, kicked, slapped or struck with a rifle butt at least 30 or 40 times. It came to a point that I was simply too numb from the cold and from exhaustion to respond to the pain***'.

18. Eventually large trucks were brought up to the prison. Still hooded they could not see the trucks but could distinguish the distinctive sound they make. They were picked up one by one and thrown in. It was impossible to walk because of the plastic ties around their legs so they were dragged everywhere. As they did not have any shoes or socks, this meant that the ground would scrape the skin off their feet. When they were thrown into the lorry, there was somebody else in there that grabbed them who dragged them in. They were not allowed to talk or communicate in any way.

19. They were driven for about 45 minutes until they arrived at what they now know was an airport. Whilst in the truck, they could distinguish flashes of light which they

recognized to be from a camera/flash. Shafiq says '***I believe they were constantly taking photographs of us. I can't imagine these photographs were for identification purposes because of the hoods we were wearing, or to provide evidence that they were not maltreating us, because the abuse we were suffering was serious. I think, in light of what I now know that these photographs were trophies***'.

20. When they got to their destination, they could hear the soldiers talking about "birds" arriving at 18.00 hours. They had to wait in the truck at the airport for some time. Shafiq says '***Asif and I were taken on the first plane. We did not know where we were being taken. I was not allowed to use the toilet, or given any food, extra clothes or water. Throughout this time we still had the hoods on which made the experience even more terrifying. The plane itself was I believe a large cargo plane. It had hooks on the floor and they sat us down attaching each of us to some form of metal belt. The belt was then attached to a chain on either side and also padlocked to the floor. Because our hands were tied behind us and our legs were still tied in plastic cuffs, we had to keep our legs straight out in front of us. In normal circumstances this position would have been difficult to maintain for any length of time. Given that I was extremely weak and that I was suffering from dysentery, dehydration, hunger and exhaustion it was impossible to maintain this position for more than a few minutes at a time. If however I leant back or tried to move, I would be struck with a rifle butt. These blows were not designed to prevent us from falling back or to adjust our position, they were meant to hurt and punish us***'.

21. All three men explain the aircraft was freezing. Whilst the three men were not suffering from any major injuries (other than Asif's infected arm), there were others on the plane, including amputees and the victims of bombing raids, who were extremely unwell and yet had to maintain this position with the constant threat of being struck by rifle butts or kicked and beaten by the soldiers. Rhuhel says '***I took the last plane. The conditions in my plane were same as those described by Shafiq***'.

Arrival in Kandahar

22. The plane eventually landed in Kandahar and as they were being taken off, each detainee was taken to the side of the plane and in front of the engines. Shafiq says '***The cargo plane had no heating and given the flimsy clothes we were wearing I believe I was close to hypothermia. My feet were still tied with the plastic cuffs, and therefore once again we were dragged out of the plane and in front of the engines. I believe the reason we were placed in front of the engines was to try and heat us up***'.

23. After this a rope was tied around their right arm and even though they were wearing a hood they understood that this rope was then connected to the man behind and the man in front. The rope was extremely thin and bit deep into their arm.

24. After the ropes were placed on their arms, they had to walk for nearly an hour. They believe they were actually walking around in circles rather than heading straight for their destination. Their feet were bound with plastic ties and so they could only shuffle. If the man in front or behind went too fast or too slow the rope would become taut and dig into their arm. This together with the pain of shuffling, in bare feet (and in the freezing cold) on the gravel, made this walk unbearable.

25. The hood and blindfold were still in place when they arrived at their destination, and all of them had deep cuts on their feet and rope burns on their right arm.

26. Asif says '***We were eventually herded into a tent and the rope was removed. I knew it was a tent because I couldn't feel the wind. We were made to kneel with our legs underneath us and our foreheads resting on the ground. Our hands were tied behind us as were our feet'***. Shafiq adds that '***in normal circumstances, it might have been possible to keep my head one or two centimeters above the ground so that the sand and stones on the ground didn't dig into my head. By this time however I was so weak that I simply sunk forward and my head landed on the ground quite heavily. As I was in***

this position the sand and stone was cutting into my forehead and so occasionally I tried to lift my head to get some relief. Each time I would do this I was hit or assaulted in some way. My head was forced down on one occasion with a rifle butt. The soldier didn't stop when my head hit the ground but continued pushing down. On another occasion someone came up and pulled the plastic ties around my ankle which caused my legs which were folded under me to straighten, this meant my face and chest hit the ground heavily'.

27. They found out later that at this time the Americans were processing them and they were eventually given plastic wrist bands with numbers on them. Shafiq says '***I was number 78. As I was lying on the ground, two soldiers came up and carried me outside. They then laid me on the floor and started searching me. I still had my clothes on at this point. One of them kicked me a few times, as a result of which I suffered a lot of bruising. Whilst I was being searched, one of the soldiers would kneel on my back and the other carried out the search. After my search, I was taken to another tent. I still had the hood on and as I was taken to this tent, they were asking me "where are you from" and also they kept asking me what I was "doing in Afghanistan". In the tent, they cut off my clothes and they then carried out a "forced cavity search", but this took place with the hood still on my head and I was terrified and humiliated'***.

28. After this tent, Shafiq was taken by the soldiers who were carrying a blanket and clothes (though he had to walk naked) through a maze made out of barbed wire. Even the doors in the maze were made of barbed wire. If he tripped or slipped, which was likely given how exhausted he was, the wire would cut him. This barbed wire maze was in the open air.

29. Asif and Rhuhel describe the same treatment and all three eventually found themselves in a large hanger where they stayed over-night. In relation to the processing carried out by the American personnel Asif adds that he saw a doctor in the tent, '***I showed him my arm and he said that it was infected. He put some***

sort of a plastic bandage on it. I also told him about my feet which were badly cut up. He looked at them and then said "you'll live"'.

30. They had still not been given food or water. Shafiq says '***I was totally dehydrated, exhausted and suffering from the effects of malnutrition, dysentery and the beatings. Despite this I was called for interrogation by somebody shouting out my number. I had a sack placed on my head and for the first time, I was placed in shackles. These were not the "three piece suits" (see below) used in Guantanamo, but leg irons and handcuffs. I was taken into the interview room bent double with the sack on my head. I had received a change of clothes at this stage and was wearing a thin shalwar kameez which is a type of clothing commonly worn in Pakistan***'. Asif and Rhuhel describe the same treatment.

Interrogation at Kandahar

31. When they got into the interrogation tent, the hood was taken off and they were told to sit on the floor. There was a table in the middle of the tent with two men behind it. There was also a soldier with a gun standing behind them. All three were told forcefully that if they moved they would be shot. Shafiq says '***I was questioned for about half an hour. I could see four water bottles sitting on the table and I said I needed water. One of the interrogators told me that he did not have any despite the fact that I could see the bottles sitting in front of him. He told me that if I cooperated I would get some water later***'.

32. They all answered the questions put to them truthfully. The bulk of each interview was about their backgrounds including address, telephone number etc. After this they were photographed and had their fingerprints and DNA taken. The DNA included a swab from their mouth as well as hairs plucked from their beard.

33. After the first interrogation by the Americans, they were taken to an open tent (with the sides open to the elements) and given a blue jump suit. They were also given a couple of crackers each and some peanut butter and at this point the Americans started to insist that they drink a lot of water.

34. The first interrogations were done in English by the Americans. None of the interrogators identified themselves to the detainees.

35. Asif explains that his second interview was also with an American but on this occasion he was badly beaten by his interrogator and the guard, He states that, '***My second interview took place a couple of days later. I was taken away from the others, with my hood on and walked (bent double) by some soldiers to a tent. An American came into the tent and shouted at me telling me I was Al-Qaeda. I said I was not involved in Al-Qaeda and did not support them. At this, he started to punch me violently and then when he knocked me to the floor started to kick me around my back and in my stomach. My face was swollen***

and cut as a result of this attack. The kicks to my back aggravated the injuries I had received from the soldier striking me with a rifle butt. After a few moments the guards dragged me back to the tent. Whilst he was attacking me, the interrogator didn't ask me any other questions but just kept swearing at me and hitting me'.

36. After about one week when they had been interrogated several times by American military personnel they were each separately brought in to be questioned by a British soldier.

Interrogation by British Army

37. Their first contact with British military personnel was whilst held in the US prison camp in Kandahar. The interrogator was wearing a maroon beret. He told them that he was from the SAS. Throughout this interrogation as well as the earlier ones, the hood was removed.

38. Shafiq describes being brought into a tent by two US soldiers first thing in the morning. He had very thin clothes on and was freezing. He had a sandbag placed over his head which was removed once inside the tent. He was handcuffed from behind and had leg irons on. One of the US soldiers had his arm round his neck and was saying "wait until you get back to the tent you will see what we are going to do to you". The British officer produced two letters. He said one was from Scotland Yard and the other from Interpol.

39. There were a number of names on a list. Shafiq was able to see the letters, only briefly before they were pulled away. He says that the letter claimed that 16 hours after he had left home for Pakistan his house was raided. Shafiq knew this wasn't true as he had phoned home from Pakistan shortly after his arrival and no mention had been made of such a raid. The SAS man went on to say that he had a report that Shafiq was a member of the Al Muhajeroon (this is not true). He went on to suggest that Shafiq had attended a march in London on September 19th (just after the September 11th attacks) and that he had been recruited to join them.

40. Rhuhel says that he was taken before the British officer and interrogated for about 3 hours. He said that one of the U.S. soldiers had a gun to his head and he was told that if he moved they would shoot him. The SAS officer said, "You are funded by the Al Muhajeroon to fight." He was told to admit that he came to Afghanistan for holy "jihad".

41. He was questioned as to how he paid for his ticket. The SAS man also mentioned three maximum security prisons in Britain, including Belmarsh, and said that he

would be sent there. When he was taken back from there the soldiers forced his head right down and threw him on the floor, forced to his knees with his head forced onto the ground and hands pulled up backwards, forcing his head right down into the broken glass and stones on the ground. When he screamed, the force was increased. The floor consisted of sand, broken glass and stones and Rhuhel's hands were cuffed at the back and his feet were shackled.

42. Asif also was told that he would be going to one of the three maximum security prisons back in England. He says that prior to being questioned by the British soldier he had been interrogated by US soldiers on two occasions in Kandahar and one in Sherbegan. The SAS officer asked him to set out his story and he was asked for a description of the area where he lived in England.

43. He was taken back to see the British SAS officer a second time the following day. He was told that "***your friends have confessed to being members of the Al Muhajeroon***". He asked him to admit that he was also a member. He showed him a list of names and suggested that a particular doctor from the Central Mosque in Birmingham paid for him to go out to fight in Afghanistan. The SAS man then left the tent and the U.S. soldiers roughed him up again (as Rhuhel has also described). Asif was taken on a third day again to see the British SAS officer and was told that he hadn't told the truth. He was then threatened that because he wasn't telling the truth he would go straight back to England and be placed in Belmarsh or one of the other high security prisons. Asif thinks that the first time that he was questioned was for about 6 or 7 hours, the second time for about 2 hours and the third time for about 40 minutes. On the first occasion he was told by the SAS man that he was not going to be beaten 'because you are with me'.

44. Asif says '***I was told of maximum security prisons in the United Kingdom, including Belmarsh. The British officer told me that within a few weeks I would probably be taken there to be tried'***.

Removal from Kandahar

45. Shafiq says '***I was at the Kandahar camp for just less than two weeks. During that period I was interrogated about four times. We slept in a tent. I was in a tent with Rhuhel but Asif was in a different tent. There were about 20 of us in each tent. The tents were surrounded by barbed wire. We had to sleep straight on the ground, on the gravel. We were not allowed to talk and as Rhuhel explains (see below) they were deliberately stopping us from sleeping. Around midnight, probably on the 12th or 13th January 2002, US Army men came in and everyone in the tent was told to move to the back. They then shouted out three numbers. They called out my number (78) and I was taken out after the other two. It was raining and absolutely freezing cold. By this stage I was wearing the blue cotton boiler suit that we'd all been given and sandals. I was made to lie on the ground face down. A sergeant put his knee on my back and a soldier put shackles on my wrists and on my ankles. Then a rice sack was placed over my head. The sack was made from very coarse material and there were no holes to see through. I was then led about 300 to 400 yards with one guard abusing me and swearing at me. When we stopped the other guard, for no reason, hit me on the back of my head with a hand gun. I had been taken to another tent where I remained to sleep that night (the shackles and sacks were removed). There were about 20 people in that tent. The tent had a wooden floor although it had got wet from the rain. There was no bed or mattress or anything'***.

46. In the morning all the prisoners in this tent were made to sit at the back of the tent and one by one their numbers were called out. They did not have any idea what was going on. Again, the same procedure was adopted, they were brought out and made to lie on the ground and shackled with a rice sack placed over their heads. This time Shafiq says ***'I had to run as fast as I could with my legs shackled and I was bent over with a sack over my head. We were taken to another tent. There they cut off all my clothes and forcefully shaved our beards and heads. I was taken outside. I was completely naked with a sack on my head and I could***

hear dogs barking nearby and soldiers shouting "get 'em boy". Although I couldn't see I had a sense that there were a lot of soldiers around. I was taken, still naked with a sack on my head, to another tent for a so called cavity search. I was told to bend over and then I felt something shoved up my anus. I don't know what it was but it was very painful. I was then taken over to another part of the tent where the head sack was removed and photographs were taken of me. I think they were head and shoulder, full face and profile. After the photos I was given an orange uniform, of polyester trousers and t-shirt. Then new chains were put on. These were handcuffs connected to a box that was held in between our wrists and from this box another chain went around the waist and then a different chain came down to other cuffs which were placed around our ankles. They were on extremely tight and cut into my wrists and ankles. I asked if they could be loosened but they refused. Then black thermal mittens were placed on my hands and taped on around the wrist. Goggles were placed on my eyes. These were rather like ski goggles but with the eye pieces painted out. Then ear muffs were put on like builders' ear muffs. A face mask, which was rather like a surgical mask, was put round my nose and mouth and I was given orange socks and plimsoles to wear. I was then taken outside. I could barely hear or see a thing and was made to sit down on the gravel ground. I was left there for hours and hours, perhaps nine or ten altogether. It was freezing and I was not allowed to move, I sat cross legged. I was aware that others sat beside me. Throughout that time I was given no food or water, the last meal I'd had was the night before. Whilst on the runway, they pulled down our face masks and gave us an MRE (meals ready to eat) packet. However, it was impossible to eat it because the packet was placed in our hands but as we were shackled and still had all the other stuff such as mittens on, you couldn't open the packet or reach your mouth with the food. They gave us no water and then they just took the food away. I was not able to eat any of it. We were then all made to stand up and I was given a sort of denim jacket which was placed over my shoulders with the top button tied but our arms were not in the sleeves. A thin strong rope was tied around my arm and connected, I believe, from my arm to the arms of other detainees. We were made to walk for a long time. I think we were simply

walking round and round in circles. Because of the rope round our arms if it got pulled it became extremely tight. As we were walking I could sense that cameras were flashing and I suspect that they were also videoing us'. It was at this point that it became clear they were going to be transported by airplane out of Kandahar but they were not told their destination.

47. Asif who was on the same plane as Shafiq describes very similar experiences. He says '***I'd been in a different tent from Shafiq and Rhuhel. I remember three numbers being called out. I was number 79 and I was taken in the same way as Shafiq described to the wooden floored tent. In the morning we were all made to sit on our knees and I waited about three hours until my number was called out. I was also called into the tent and the same process happened of being shaved and stripped naked. I do also remember having a brief examination with a doctor who looked into my eyes and asked if there were any problems. I explained that I had stomach problems as I was still suffering from dysentery. He simply gave me some tablets***'.

48. Rhuhel was not taken out of Kandahar at this time. He remained there for another month. His number was 102. It was never explained to him why he was left behind.

49. Shafiq and Asif describe being led onto large cargo planes. They were taken one by one up onto the plane. They estimate that the whole process would have taken about two or three hours. They were made to sit on benches that had no back. They still had on gloves, face masks, head muffs and they were shackled although the rope around their arms was removed. A further chain was then put around their waist and legs and this was then connected to the floor. Shafiq says '***my legs were in a painful position but if I tried to move to get comfortable they would kick you***'.

50. The plane took off and they were in the air for many hours. They had to remain sitting in this very painful position with the shackles cutting into their wrists throughout this time. Asif says '***I was very tired, not having slept at all. During the flight at some stage the face masks were removed and we were fed peanut***

butter and jelly sandwiches and orange segments. Then the mask was replaced. It was absolutely freezing during the plane journey. When we eventually landed, it was obviously somewhere very hot. We could tell as we came off the airplane that it was in the middle of the day, it was very light and very hot. I had no idea where we were. I was then led from this plane onto another plane. On the way to the other plane we were moved, bent double quite quickly. A soldier at some point, stamped on the chain between my ankles which brought the cuffs around my ankles down very hard. It was extremely painful. I was not offered the opportunity to use the toilet at any stage. I was again made to sit in the same position, shackled to the ground on this other plane and we waited for a couple of hours before take off. The second journey was shorter than the first. Eventually we arrived in Cuba; although at that stage we didn't know it was Cuba'. Asif and Shafiq have no idea where they changed planes but Rhuhel who describes a similar experience on his flight was told by soldiers that they had landed in Turkey. All three describe the plane journey as a nightmare with Asif saying that he was by this stage '***done for***', he thought he would not survive the second flight but was too weak and too frightened to do or say anything.

51. Shafiq says '***during the plane journey the shackles had been on so tight that they really cut into me. I still have scarring on my left arm from them and I lost the feeling in my right hand for a long time because they were on so tight***'.

52. Whilst Asif and Shafiq were on their way to Guantanamo Bay Rhuhel remained in Kandahar. He describes the routine continuing as before. He states he was further interrogated, once by MI5 and separately by the Foreign Office. He asked after Asif and Shafiq but was told by the MI5 official in the first interrogation that they had gone home because they had cooperated. He was also interrogated on four further occasions by the Americans. He reports that after Shafiq and Asif left conditions in Kandahar started to deteriorate. He states '***they kept moving us around from tent to tent. This went on all day and night so it was impossible to settle down for the night. They also shone powerful lights into the tents which made things worse. There were no cages in the tents but you were separated from the***

person next to you by barbed wire. You were not allowed to communicate with anyone in the tent. I started to feel crazy from the isolation. About a week before I left I knew I was going to Guantanamo. I was told this by one of the soldiers. My conversations with the soldiers were the only real relief I had because it was human contact'.

53. Rhuhel says that just before he was flown to Cuba in February 2002 he was visited by somebody from the Foreign Office. It was a few days before he flew out. There was also somebody present from MI5 who said that he had seen his friends in Cuba and they had confessed to everything. He said if you admit to everything you will go home. At that point Rhuhel was starving, frightened and living in appalling conditions at the prison camp. He had been surviving on only two biscuits a day and was sleep deprived. He had not been allowed to talk to anyone and at night was woken up every hour on the hour. He decided to agree with everything put to him so that he could be returned to England. He admitted that he was paid for by the Al Muhajeroon and that he had flown to Afghanistan to fight holy "jihad". He said that he '***couldn't hack it***'. Rhuhel says that '***I was in a terrible state. I just said 'OK' to everything they said to me. I agreed with everything whether it was true or not. I just wanted to get out of there'***. He says that the British officials could see the state he was in but did not seem to care or even ask him about the conditions. Five days later (on the day he left) the Foreign Office representative came to see him. He was pleasant and dressed in a suit. He told Rhuhel that he was going to Cuba. He was not concerned by Rhuhel's health and was not prepared to give him any information about what was happening.

54. The Foreign Office did not inform Shafiq and Asif's families that their whereabouts were known until they were in Cuba. Rhuhel's family was told when he was in Kandahar. Shafiq and Asif saw no one from the Foreign Office whilst they were in Kandahar.

55. All three talk of the use of particular interrogation techniques in Kandahar. Shafiq explains that '***when the soldiers would come into the tents in Kandahar they came with dogs. If you made any sudden movements the dogs would be***

brought right up to you snarling and barking very close to your face'. As described above by Asif the interrogators and guards used physical violence and all three had their beards and head shaved when they were placed on the plane for Guantanamo. They believe that forced cavity searches were used to degrade and humiliate them. They were systematically deprived of sleep, whether or not an interrogation was pending and all believe they were deliberately kept on a very restricted diet in order to further physically weaken them.

Guantanamo Bay

56. When they arrived in Cuba Shafiq states '***we were taken off the plane and made to sit on the ground outside somewhere. I was still goggled and masked. At that stage they took my shoes off. We were then led onto a bus. I think there were maybe about 40 of us altogether. I later learned that we were the second group of detainees from Afghanistan taken to Guantanamo Bay. On the bus we sat cross legged on the floor (the seats had been removed) and were thrown about because of the movement of the bus, but soldiers would still punch or kick us if we moved. The bus then went onto a ferry which went over to the camp. On our arrival at the camp somebody lifted the earmuffs I was wearing and shouted into my ear "you are now the property of the US Marine Corps". We were told this was our final destination. There would be one soldier speaking in English and another in Arabic. We had arrived at Camp X-Ray***'. Asif describes very similar experiences.

57. Rhuhel, who arrived a month later, was also taken to Camp X-Ray. His journey on the plane was very similar to Asif and Shafiq but on the ferry to the actual camp he was kicked and punched by a US soldier. He states he was assaulted '***because we had been told to keep our hands by our sides. This was uncomfortable as we were shackled and after some time I moved my hands into my lap. A soldier came up to me and said put your hand on your left knee which I did. The soldier said "this motherfucker speaks English", and then kicked me about 20 times to my left thigh and punched me as well. I had a large bruise on my leg and couldn't walk for nearly one month. There was never anyone to complain to about these sorts of attacks and I think they are still going on'.***

58. At Camp X-Ray, after they were taken off the bus, they had to sit outside for hours still shackled with the gloves, ear muffs and masks on. They were given no water even though it was extremely hot. Occasionally somebody would come round and wet their lips with water but it wasn't enough.

59. Asif states that 'a***fter a couple of hours of squatting in that position I fell over and started shaking. I went into a sort of fit. I was taken on a stretcher into a processing room where I was given an IV tube into my arm. I was still shackled and goggled at that stage. I was in the room for about an hour and was then given a shower. Everything was taken off, all my clothing except for the goggles and the shackles. The shower was very brief, it didn't give me an opportunity to wash properly. After the shower I was taken over to a table and told to bend over (I was naked). Again somebody prodded up my anus. I don't know what they possibly could have thought I had hidden since I had been completely shackled since the last cavity search. I was then dressed and more or less carried across to another part of the tent where I was questioned by a woman who asked for my details, including my name, date of birth etc. My fingerprints were done, also a DNA mouth swab and photographs taken. I was given a new wristband which had my name and number printed on it'***.

60. Shafiq who describes a similar experience when he was processed (as does Rhuhel) also states that '***when we arrived at Camp X-Ray I was made to squat in the boiling heat outside for about six or seven hours altogether. I became desperate and eventually asked for some water. The soldiers realized I was English and a man from the ERF team (Extreme Reaction Force – see below) came and started kicking me in the back and calling me a traitor. There were dogs present barking nearby. They were very close to me but I couldn't see them. I wasn't allowed to move, if I did I would be kicked. Eventually I was taken in to be processed, I was taken to a tent and my clothes were removed. Each hand was uncuffed in turn to allow them to take my top off and then recuffed. The same happened with my trousers. I was then led to a shower. While I was in the shower, a soldier pressed me firmly against the wall using a riot shield or ERF shield. This meant that I was pressed against the wall with a dribble of water dropping on my head and couldn't wash properly. I also had my goggles on in the shower. After this I was walked naked to another table where a cavity search was conducted. This was both painful and humiliating. Having been subjected to the same search before we left Kandahar and having been kept shackled throughout the time we were transported, there***

can have been no purpose to this search other than to further humiliate or punish us. I was taken, naked, to a woman who processed me as Asif describes. I think this was meant to further humiliate me. When I was questioned by the woman about my details I told her I was British but she wouldn't believe me'.

61. After processing, their clothes were put back on by the guards. Each was walked around the tent at least twice and then photographs were taken. Shafiq states '***I was given a wrist band. This wrist band had a photograph, name, date of birth, height and weight. When I arrived at Guantanamo I was 140lbs, but I was 195lbs when I had left the UK'***.

62. After the photographs and processing had been completed they were told they had to write a letter to their families. They found it almost impossible to write anything because their hands were still cuffed together and they had lost all feeling in them. Shafiq states that '***I think all I managed to write was "I am in American custody". After I had done this the goggles were put back on and I was taken to a cage. At that stage the goggles and shackles were removed'***.

Camp X-Ray

63. After processing they were taken to the cages in Camp X-Ray. They describe the cage as being about 2 meters by 2 meters. There was a gap between the top of the cage (itself made of mesh) and the roof of the structure (made from corrugated iron). Asif states that '***in my cage there were 2 towels, 1 blanket, 1 sheet, 1 small toothbrush, shampoo, soap, flip flops and an insulation mat to sleep on as well as two buckets, one for water and one to use as a toilet (urinal)***'. There were 60 people in each block each of which consisted of 6 groups of 10 cages. Throughout the time that they had been in custody, both in Kandahar and now in Camp X-Ray, they were not allowed to pray. If they tried to pray, the soldiers would deliberately disrupt them.

64. Asif states that '***on the first night after I arrived from Afghanistan at Camp X-Ray I weighed 120 pounds, I am normally 165 pounds. When I was placed in the cage I had the goggles as well as the shackles removed and I thought I was hallucinating. I could just see a series of cages with people wearing orange. Then I also noticed people outside who were veiled. I thought they were women at first. In fact they turned out to be men who were employed to do building work on the camp. It seemed that the people building the camp were mainly Indian and South East Asian. We found out later that they were paid only about one dollar or less per hour and had to work 12 hours per day. They were under the control of the company that had been contracted to build the camp. We weren't supposed to talk to them and in fact they were escorted and guarded by the US Army. Occasionally, however, we managed to exchange some conversation with them in Urdu***'.

65. Asif also sets out the aspects of Camp X-Ray he found most difficult to deal with. He states that, '***I think Shafiq will agree that the restrictions that were placed on us when we were in our cages were probably the worst things we had to endure. By the time Rhuhel arrived things had improved a bit but in the first few weeks, we were not allowed any exercise at all; this meant that all day***

every day we were stuck in a cage of 2 meters by 2 meters. We were allowed out for 2 minutes a week to have a shower and then returned to the cage. Given the extreme heat, we sweated a lot and the area obviously began to smell. During the day we were forced to sit in the cell (we couldn't lie down) in total silence. We couldn't lean on the wire fence or stand up and walk around the cage. We were fed three times a day, but given very little time to eat the food. The quantity of food we were given was also very little. It is not an exaggeration to say that sometimes we were only allowed about one minute in which to eat our food. This was not too much of a problem if the food was on a plate, but occasionally it would be in packets and we would not be able to open the packet before the food was taken back. At this point, the US marines ran the camp and they were very brutal'. Conditions in Camp X-Ray were very difficult, especially in the first month. The cells were often under direct sunlight for hours on end. Shafiq says '***the way my cell was located I got more sunlight than the others and had to put up with direct sunlight for most of the day***'.

66. It was extremely hot but they were not allowed to take their tops off. They still had no idea why they were there. In fact for the first 7 days Asif and Shafiq did not know they were in Cuba. They did not know when their ordeal would end. All three say that they simply could not understand what the interrogators wanted from them.

67. Rhuhel says that when he arrived he gradually developed a technique of staring at the wire mesh or at the ground and letting '***my mind go blank***'. The area around Camp X-Ray was lit with very powerful (like football stadium) flood lights. At night, the area was lit up as though it were the middle of the day. The floodlights were used throughout their time at Camp X-Ray. There were also snakes, scorpions and a variety of unusual insects. Rhuhel says that '***I remember that a number of detainees were bitten by scorpions in my block (I was still separate from Asif and Shafiq) and we always had to be on the look out.*** (If bitten by a scorpion, flesh had to be dug out from the bitten limb to remove the infection.) Asif says in Camp X-Ray his comfort items had been removed for some reason. They would place removed items outside the cage. When they came to return the items they

lifted my blanket and underneath there was a snake. It was impossible to sleep or get any rest. When they were sleeping, they had to keep their hands outside their blankets. In addition, the noise of the construction work going on (they were extending Camp X-Ray) was such that it would have been impossible to sleep anyway.

68. Another aspect of detention in Camp X-Ray which caused considerable distress was the toilet facilities. In the cages there were two buckets. One was for urinating in and the other was for water. The bucket which was used for a toilet was emptied once a day and the bucket that was for water was filled on average twice a day with a hose pipe brought into the cell block by the guards, but this depended on their discretion. The detainees had to use the water in the bucket to drink, wash and for ablutions. If they wanted to "***do a number 2***", they had to ask permission from a guard who would shackle them and then escort them to a portaloo outside the blocks. The guards would stand staring at them with the door of the portaloo open and with their hands in shackles as they sat on the toilet. Because of the shackles they were also unable to clean themselves.

69. Shafiq says '***very often the guards would refuse to take us to the portaloo outside and therefore people started to use the buckets in the cells. Many of the people who were detained in Camp X-Ray were ill, often suffering from dysentery or other diseases and simply couldn't wait until the guards decided they would take them to the toilet. I think the guards also knew how importance cleanliness is to Muslims and took a sick pleasure from seeing us degraded like this. The smell in the cell block was terrible and in the early days this was made worse by the fact that we had to sit in the middle of the room, described above, without leaning on the cage, talking, praying or moving around the cage***'.

70. After some time the conditions improved by that they mean that they got slightly more food and could talk to each other – i.e. the restrictions on conversations were slightly relaxed. They could put their hands underneath the blankets when they went

to sleep. The conditions improved slightly after they 'confessed' to allegations put to them during interrogation. They were also given shorts for decency.

71. A complaint all three make is that the orange jump suits they were given as a uniform had a long slit down the side. This meant that when they prayed (if they were allowed) the jump suit would open to reveal their groin area when they bent down. In Islam a man must be covered from his midriff to just above his knees when he prays and so the prisoners took to wearing their towels around their waists when they prayed. This became a source of a lot of conflict with the guards. The detainees were also prevented from calling out the Azzan or call to prayers. Asif says that when people called out the Azzan '***The Americans would respond by either silencing the person who was doing it, or, more frequently, play loud rock music to drown them out. They would also go into the person's cage and shackle them, leaving them there for 4 or 5 hours'.***

72. They were never given prayer mats and initially they didn't get a Koran. When the Korans were provided, they were kicked and thrown about by the guards and on occasion thrown in the buckets used for the toilets. This kept happening. When it happened it was always said to be an accident but it was a recurrent theme.

73. Eventually the prisoners went on hunger strike because of the way that they were treated and in particular the way their religion was treated (see below).

74. Asif says that 'i***t was impossible to pray because initially we did not know the direction to pray, but also given that we couldn't move and the harassment from the guards, it was simply not feasible. The behaviour of the guards towards our religious practices as well as the Koran was also, in my view, designed to cause us as much distress as possible. They would kick the Koran, throw it into the toilet and generally disrespect it. It is clear to me that the conditions in our cells and our general treatment were designed by the officers in charge of the interrogation process to "soften us up"'***.

75. After Asif and Shafiq had spent about a week in Camp X-Ray, the Americans brought along someone they referred to as "the Chaplain". They believe that he was in fact an American Muslim. Asif states '***he started to read the prayers and I think the idea was that he would be leading us in prayer. In fact, nobody knew what was going on and we were all uncertain as to whether we were allowed to participate. Nobody knew or trusted this individual and as a result he was left to pray on his own. This did not stop the Americans from filming him and suggesting that he was leading regular prayer groups***'.

76. As set out above, after the first month or so, at about the time Rhuhel arrived, things were relaxed to the extent that they managed to speak to some of the Military Police ('MPs'). These MPs told the detainees that their superiors had briefed them before they had arrived. In these briefings, the detainees were described as wild animals. As Asif says, '***they were told that we would kill them with our toothbrushes at the first opportunity, that we were all members of Al-Qaeda and that we had killed women and children indiscriminately***'. This obviously affected the way they treated the prisoners.

77. Rhuhel was in a different block from the other two in Camp X-Ray. After processing he was put in his cage but taken out 20 minutes later. He had a full medical, was stripped naked in front of a woman and blood was taken from him. He was then put back in his cell. He says that '***you could move around but couldn't speak. After about 5 days I was allowed to talk to my neighbours but they were all Arabs and I did not understand what they were saying***'.

Interrogations

78. The first interrogation at Camp X-Ray didn't taken place until the second or third day after they arrived.

79. The first interrogations for Asif and Shafiq took place in a tent. By the time Rhuhel arrived they had built some booths (see below). Shafiq says '***In the tent, there was somebody who introduced himself as being from the British Embassy in Washington and a civilian from MI5. There was also an American soldier behind the table. There were at least 7 or 8 others standing in the tent behind me, but I was not allowed to look back. I was put in a chair with an armed soldier nearby. I was asked my name, address and family details. I was also asked for my phone number and other information about my family. The MI5 officers told me, in no uncertain terms, that if I did not cooperate they could make life very difficult for me. They kept insisting that I tell them I had gone to Afghanistan for "jihad". They told me that if I agreed to this, then I could go back to England***'.

80. During the first several weeks the American interrogations with all three consisted of pressing them to ***'just say you're a fighter'*** . Asif was told '***if you just say you're a fighter, because of the Geneva Convention when the war is over you'll get sent back to England'***. Rhuhel was told '***just say you're a fighter and you'll go home'***. He was told '***you've come to kill American and British soldiers, coalition forces***'. They talked about '***allied forces***'. They referred to the Northern Alliance as being the same as '**allied forces'**.

81. Asif comments ***"we were aware that the first thing that appeared in our American files was something like 'I went to Afghanistan to kill American and British and allied soldiers'. We never signed anything but the interrogators had us one way or another after some weeks of interrogation agreeing to this. We did not all of us say we did."*** In Asif's case he eventually just nodded.

82. Asif describes the way that the interrogation would go. He was accused of meeting Mullah Omar, and money laundering for Bin Laden in England. He was given what they called the '***big fish chart***' with Osama Bin Laden at the top, money launderers who seemed to be in the middle, and at the bottom was '***fighters***', so "***I was led to think that the best thing to admit to was to being a fighter. The trouble is once you admitted you were a fighter they then wanted to get you up to the next stage up the chart. So even if you said that you were a fighter to get them off your back, that wouldn't stop them. They would still continue. They just want you to say something and once they've got you to say something they then keep pressing for something else. So you think that you're in the end saying something that will stop them but it just encourages them if you do.***

83. ***The series of questions asked in the early stages of captivity would be asking your whole life story and would last at least four hours each, hours and hours and hours. We were very tired. We were dehydrated. We had very little food and we were already completely exhausted from the whole experience in Afghanistan. One day in the heat of Cuba knocks you out anyway. We were completely unused to the heat. You came out from the slight shelter of your cell into the full scale Cuban heat which was even worse. There was a bit of a roof over your cell providing some shelter but it was pointless as the sun would hit directly at different times of day and if there was rain the rain would hit you too. When you came out of that to interrogation then the full heat of the sun would hit you. The interrogation tent in those early stages didn't have air conditioning."***

84. The first interview Asif and Shafiq had was with English officials (Rhuhel's first interview was with an American). In all their interviews the interrogator kept saying 'just say you are a fighter'. Eventually all three said 'yes, I was a fighter' one way or another to the US interrogators. They couldn't take any more.

85. Shafiq says '***I was interviewed by MI5 at least twice when I was in Camp X-Ray. After about 2 or 3 weeks in Camp X-Ray, I was also interviewed by US forces interrogators. This time, I was interviewed in a booth. I continued to be***

interviewed in these booths until I left. The Americans kept insisting that I say I knew Mullah Omar. I began to realize that in each interview they wanted me to admit to something more serious until they forced me to say I was in Al-Qaeda. This was not true and I started to refuse to agree with the interrogator, but I was desperate to get out and eventually I just accepted things they put to me'.

86. Rhuhel was interrogated by Americans on the second day he arrived. His interrogation was similar to Asif and Shafiq. On the third day he was seen by MI5. He told them the same thing he had said in Kandahar. They came on the next day and insisted he say he was a fighter. He refused to say he was a fighter or that he had gone for "jihad" to MI5.

87. After this interrogation he was not spoken to for 4 or 5 months. In Camp X-Ray the only people around him were Arabs. He did not speak Arabic and couldn't communicate. On describing the conditions Rhuhel says '***I couldn't talk to the guys in my cell block so I would just sit there staring at the wires all day. This went on for 5 months. I used to try and speak to the guards but they wouldn't speak to me***. ***I felt totally isolated'***.

Interrogations at Camp X-Ray (generally)

88. In the interrogation booths, used after the tent, there was a table in the middle, often screwed to the floor. There was also a chair on which the detainees were ordered to sit and in front of this chair there was a metal hoop screwed into the ground. When they were walked into the interrogation room, they had to sit down and then their leg shackles were in turn attached to this hoop using a huge padlock. This is described as being 'long shackled'.

89. Asif says '***I should explain that in the early days, we had to go from the cages to the interrogation booths on foot which was extremely difficult as we had to shuffle along, constantly being pushed and harassed by the guards, wearing the leg irons. This made it very difficult to walk and the leg irons would cut into our ankles. After a while, they began to introduce trolleys which I think have been seen in photographs. Many months later, they introduced golf carts and we would be loaded onto the cart and driven to the interrogation booth***'.

90. As described earlier in the interviews, they would be told that the interrogators had information that each of the detainees had met people like Mullah Omar. Shafiq says, that '***in my case they told me they found my personnel file in a cave in Afghanistan and that it was clear I was linked to Al-Qaeda. This is ridiculous, but they insisted that I accept this. The interrogators would keep saying "tell us you're a fighter, tell us you're a fighter". This would go on for hours on end***'. Asif and Rhuhel describe similar interrogations.

91. In Camp X-Ray whenever they were interrogated, they were never given any notice. The process was that an escort team of usually 2 or 3 military police officers would arrive at the cages. They would be carrying chains and it would be obvious at this point that somebody was going for interrogation. When they would reach the cage of the particular detainee they wanted to speak to, he was told he was going to "reservation" which was the term they used for interrogation.

92. Shafiq says '***the guard came to the cage, told me to go to the back of the cage, put my hands behind my head with my fingers interlocking, face away from the entrance and kneel down. I was then shackled in a three piece shackle which basically meant my hands were tied, in front of me, and then attached to a belt which went round my waist. The chain of the leg irons I had around my ankles was about a foot in length which meant that I could not walk properly but rather I had to shuffle. If I was forced to move quickly as sometimes the guards would push or shove us, the metal restraints of the leg irons around my ankle would dig in and cut the skin around my ankles. This was how I was taken to my first interrogation, but things changed slightly (see below) when they built the booths***'.

93. All three report that the leg shackles would cut their ankles. Before they set off to the interrogation block they would be frisked, usually done very aggressively. As they were led off to the interrogation block, they had to have their heads down (almost bent double) and shuffle to the interrogation room with an MP on each side and one behind. They would insist on putting the shackles on their skin and not over their trousers which would have given them some protection from the sharp edges of the shackles and the scraping. Asif says 'o***ne thing that always stuck with me was that the handcuffs had "made in England" written on them***'. Eventually, in Camp Delta, after almost one year, the authorities agreed to put the shackles over the detainees' trousers which restricted them in the way they wanted, but did not cut into their ankles.

94. Shafiq says that in the early days before they introduced the trolleys (and later the golf carts) ***'the MPs would compete to see who could get their detainee to the interrogation booths the fastest. They would push, pull and try to force us to go as fast as possible. If you tripped, (which was very likely given that the leg irons were tight and it was impossible to move your feet properly) they would assume you were trying to escape and force you to the ground jumping on top of you. Often detainees were kicked and punched when this happened. The suggestion that somebody could try and escape in these circumstances***

is ridiculous and I believe it was an additional part of the process of "softening us up" for interrogation'.

95. As set out above, in Camp X-Ray, the tents that they used for interrogation in the first few days were replaced by booths. These were a long way from the cages (at least 300 meters). They had to cover the whole distance in the manner described above.

96. When they got to the booths the MP would announce that they had arrived over the radio. They would refer to the detainees as "packages" rather than by their names or numbers. Shafiq says '***we were then taken into the interrogation block with an armed escort. We were led into the room whilst the armed officer (usually armed with a rifle or a shot gun) stood outside the door. In the booths we were searched again and then sat down on a chair. The MPs would then padlock us to a hook which was attached to the floor (see above)***'.

97. They were usually left in the room waiting for an interrogator to turn up. Sometimes the interrogator was already there but other times they would be made to wait for up to 3 hours. Shafiq says '***I would like to think there was some purpose to these silly games, however it is equally likely that it was simply incompetence. Whilst we waited in the booths, there was a guard who stayed there throughout. He was not armed but he was told not to talk to us. The guard would just stand there staring at us. When the interrogator came into the room, the guard would remain***'.

98. The interrogators very rarely introduced themselves. Occasionally they lied about the organization they worked for and all three men believe the names they gave were almost always false. This misinformation was quite common. As an example, on one occasion Rhuhel told an investigator that one of her colleagues from the FBI had kept him in the interrogation room for 18 hours (this was in Camp Delta). He described the interrogator. The person to whom he was complaining told him that he knew the woman and that she was not from the FBI but from Military Intelligence.

99. In relation to the interrogators, they generally changed. It was very rare to have the same interrogator on a regular basis. Shafiq says '***I only ever saw the same interrogator on three occasions at the most***'.

100. The organizations that were involved in the interrogations included the CIA, FBI, DOD, MI5, NCI (Navy Crime Investigators), NSA, Army CID.

101. When the interrogators came into the room, they did not always have files with them. It varied however and occasionally they would have notebooks or other statements with them. In Camp X-Ray they usually came in without files. Rhuhel says that '***I am fairly certain that the information about us was not shared by the different organizations and often they would attend and ask the same questions time and again. As an example, I don't think they had received any information about us from our interrogations in Kandahar***'.

102. Each interrogation started right from the beginning. The first question was always "do you speak English" which was an absurdity since knowledge of the detainees and who they were was the presumed starting point for interrogation. On occasion the interrogators even brought in a translator because they simply had no idea whether they spoke English or not. They would then proceed to ask them their name, date of birth and detailed questions about their background.

103. Rhuhel says that '***all the interrogators seemed to know was that I had been detained in Afghanistan and transferred to Guantanamo from Kandahar. After they had obtained my background details, they would start to ask me what I was doing in Afghanistan. My experiences with the second interrogation in Camp X-Ray were very similar to Asif's. They kept asking me whether I was a fighter or not. I eventually told them I was because they kept promising to send me back to England or put me in front of a tribunal'***.

104. The interrogation system was based on written statements. It was made clear to the detainees that whatever was set down on the statement was the official version

of events in the interrogation room. All three report knowing of many examples where prisoners became involved in arguments with the interrogator or refused to cooperate and in turn the interrogator would write lies in the statements and the detainee would spend months being questioned based on his alleged "admissions" which were nothing other than malicious accounts inserted by the interrogator. There was no system of redress and no way of challenging this behaviour. The same would apply if the detainee had an argument with an interpreter. Asif says '***there was one detainee who spoke English and Arabic. The interpreter wrongly translated something he said and he interrupted to say 'no I never said that'. The interrogation continued in English but those detainees who couldn't correct the interpreter often found they were supposed to have said things they never had. Many of the detainees decided to try to learn English because the interpreters could not be relied upon***'.

105. To illustrate the power of the guards, Asif gives an example of an incident that took place when Rhuhel, Shafiq and he were in isolation because of the "Bin Laden video" (see below). Asif states ***'on one occasion there was a change over in the units who were guarding us. The captain who had been in charge of the block came to introduce his replacement to the block and to the detainees in isolation (see below). I was talking to them when further down the isolation block an inmate spat on one of the guards. Obviously I did not do it and I had two captains to witness this, but the sergeant who had been spat on hated me so much that in his statement he said that I did it. The captain knew this was false because every move that we made was monitored, timed and our conversations listened to, but also he knew it was false because he was with me at the time of the incident. One of the senior officers decided that I was to be punished for this so I remember very clearly that the captain went to speak to a major to tell him that the sergeant's statement was not true. The major apparently said that the allegation had been written up and therefore because it was in a sworn statement it must stand and I had to do my punishment. As a result of this I was sent to another part of the camp for a week and lost all my comfort items'***.

106. All three were told in their interrogations that if they accepted they were a fighter they would be sent back to England very soon. Asif says that '***in Camp X-Ray, I was interrogated 4 times by MI5 and 5 times by the Americans over 3 months. All the interrogations seemed to cover the same ground. I thought this must mean that they had run out of questions or were not reading the results of my previous interrogations. As with others, I started to confess to everything and agreed to anything they put to me. I remember that at one point after this General Lenhart came up to us in the cages and said that we would be going home soon***'.

107. It was very clear to all three that their conditions were being carefully monitored and controlled by the interrogation/intelligence officers.

Interrogations by MI5

108. Asif says that he had a number of interrogations by MI5 officials in Camp X-Ray (see above). He states that '***in my first interview with the MI5 official, I was also told that I should say that I had gone to Afghanistan for "jihad". He said that I did not need to say I'd been a fighter because there are lots of ways that one can do jihad. This interrogation is the first one that took place in a tent. It lasted about 6 to 8 hours'.***

109. The MI5 interrogators changed over the time that the men were in Guantanamo. The first one who interviewed Asif however came back at least a couple of times. They nicknamed him "rat face" but believe his name was Chris. Shafiq was also interrogated by this man. At the first interview with him he insisted that Shafiq admit he had gone for "jihad" and when he refused to admit this, on leaving the room, he said that it was not looking good for Shafiq and that he would stay in Guantanamo for the rest of his life. He was supported in this by an official from the UK Embassy in Washington (see above).

110. It was only in his third interview that Asif was interrogated by an American.

Protest at Camp X-Ray

111. After some months, there was a slight alteration of conditions at Camp X-Ray so that it was possible for the first time to sleep at night. At the discretion of the soldiers (based on the standard operating procedures) they were allowed, once a week, to walk in a small recreation yard for about 5 minutes. Because of the acute lack of space in their cages and the fact that they were not allowed to move or walk around in their cages their legs would often suffer cramps and pains.

112. After their initial processing, on arrival at Camp X-Ray, there were no further cavity searches (though they would be frisked before each interview). All three men however witnessed other prisoners being stripped of their clothes and being humiliated. This was done in full view of all those on the block and not only humiliated the prisoner involved but caused deep resentment in the others in sight.

113. Rhuhel says that one protest in Camp X-Ray started in his block. He says '***I saw a guard walk into a detainee's cell, search through the Koran and drop it on the floor. The detainee told him to pick it up and put it into its holder. I remember the guard looked at the Koran on the floor and said 'this' and then kicked it. Every one started shouting and banging the doors. The guard ran out of the cell and the entire camp was on lock down for half a day. On that day there was a hunger strike for three days. I did not join in. I was very isolated and did not really know what the other detainees were talking about'***.

114. About one week later whilst Asif was in interrogation there was an incident in the block he shared with Shafiq. Asif says, '***I cannot remember the date; however, about a week before the incident I describe, a guard in Rhuhel's block kicked the Koran. This happened often in the early days, and we were eventually promised it would not happen again. When this guard kicked the Koran, people were extremely upset and went on a short hunger strike. In our block, one of the detainees who had wrapped a towel around his waist to pray (our jump suits would open at the side when we prayed which is contrary to Islam,***

in that we are required to be covered when we pray) and an MP told the detainee, who's name was Qureshi from Saudi Arabia (his photo is on the cageprisoner's website), to remove the towel. Qureshi was in the middle of his prayer and ignored them. The MP then opened his cage, which was a breach of the rules, and when Qureshi still wouldn't stop his prayers, the MP punched him violently to the face, knocking him to the ground and then kicked him. The MP's colleagues then removed Qureshi's comfort items as well as the towel*. *I did not see the incident itself but found out about when I got back from interrogation'. Shafiq says '***I saw the incident happen about 10 to 15 meters away from me. I clearly saw the MP punch him, knock him to the ground and beat him violently***'.

115. This incident led to another hunger strike. The detainees had not been allowed to give the prayer call or Azzan, to pray properly, to have prayer mats or to practice their religion. As a result of what happened to Mr Qureshi someone shouted out that they should stop cooperating. (The whole camp went on hunger strike although Asif, Shafiq and Rhuhel did not participate.) The second day of the protest was filmed as people threw their comfort items out of their cells as a result of yet another incident.

116. Asif says that '***to be clear, the food was very limited and insufficient. When they brought the food during the hunger strike, I would eat the food that had been assigned to the other prisoners as well as my own. The hunger strike lasted for up to a month and in some cases detainees continued for 6 to 8 weeks. I think there were others who went longer. I remember clearly that people started to suffer with stomach and bowel problems. On the other hand I put on 25 pounds. This was the only time I put back any weight and that was because I was so desperate I was eating many people's rations. I did not participate because I do not believe in a hunger strike'***.

117. The detainees had also agreed not to speak at their next interrogation. In Asif's case this was to be his fourth interrogation. He explains that despite this he was put under considerable pressure so took the opportunity to set out some of their

grievances. He says '***we had all agreed not to speak at our next interrogation as part of the protest. My next interrogation was a day or two later and when I was taken into the interrogation room I refused to talk to them. This interrogation was with an MI5 man who was questioning me together with an American. I continued to refuse to talk to them until the MI5 man said that this was nothing to do with the British and that it was an American matter.***

118. ***At this the FBI man left the room and the MI5 official continued to question me but I still wouldn't answer. Shortly after this an Embassy official came in. This was a different one to the person who had questioned me in the tent a few weeks earlier. He said that he was not from the intelligence services but he was from the Embassy. He said that I should talk to him and he could do something about our grievances. I continued to stay silent and then he showed me letters that he said were from my family and that I would only get them if I cooperated. I was desperate to get some letters from my family so I started to speak. During the course of my discussions with him, he also took my picture without my permission but he said that it was for my family. They never received any pictures. I gave this official a long list of grievances which I know he noted down. Usually when we would give a list of grievances to Embassy officials they would never bother to write it down but I remember this clearly that he wrote down everything I said. I mentioned that I was upset about the following:***

1. ***Medical – I said that I together with others were suffering with infections on our ankles as a result of the scraping by the shackles. The officials would tell us that we simply needed to wash our ankles with soap and water, but this was impossible as we only had a one minute shower per week. Often, when we were in the shower, we had barely put the soap on when they would turn the water off and take us away.***
2. ***In relation to the showers I also complained that they would usually lead us to and from the showers naked and wouldn't even let us wear a towel around us.***
3. ***I also complained about the quality and quantity of the food, the lack of any religious rights and I asked for them to respect our religion. I***

complained about the flood lights and the constant lack of sleep. My complaints ran to some two pages but despite this nothing changed.

119. ***After two weeks of the hunger strike, General Lenhart came into the blocks, took his cap off and pleaded with the detainees to eat. They also started to improve the conditions. Gradually, as more and more people stopped the hunger strike, we got more food, we were allowed to wear shorts and we could keep our towels on as we went for a shower. The guards were also told not to disturb us when we were praying (though they continued to do this anyway) and we were also allowed, for the first time, to talk more freely to the person in the cage next to us***'.

120. Shafiq says of the others in his block (which he shared with Asif), '***In my block, which was Bravo block at Camp X-Ray, there were other English speaking detainees including David Hicks, four French detainees, and Feroz Abbasi. I remember Feroz was getting a very hard time and he was interrogated more regularly than the rest of us. They also treated David Hicks in a very aggressive way. From my recollection, Feroz was a very quiet individual and as with most people he wouldn't describe what was happening to him. David Hicks and us three (when we were together) would always talk about our interrogations and I remember that David Hicks told me the interrogators had promised to get him prostitutes if he agreed to work with them***'.

121. Asif also says of the general conditions, '***we were also aware, in Camp X-Ray and later in Delta, that we were being listened to and our conversations were being recorded. On the question of observation I wish to add that being under constant observation was an additional stress. We would all joke about it and sometimes make things up in order to irritate those listening. I know that the intelligence officers disregarded most of this material but it was all brought up again and put to us when the video incident took place (see below). The observations conducted were not just in relation to what we were saying, but everything we did. They would look to see if we stared at women MPs or looked down when they walked passed. They looked to see if we used***

particular comfort items more regularly than others or had any habits that they could clearly identify. As an example, if we were suffering because of the small portions, they would identify this as a weakness or alternatively if we required medical help, this would depend on our cooperation in interview. In my view it was clear that they were identifying weaknesses upon which they could play for the purposes of interrogation'.

122. All three men spoke freely to the women guards and MP's without any problems but many others would not do this. These individuals would then be interrogated by provocatively dressed women interrogators. Shafiq says that '***In my case they knew I hated isolation and this was the reason they used it as the main means of punishing me***'. Asif and Rhuhel both say they found sleep deprivation was the main strategy used against them.

123. Rhuhel says '***I have problems with my eyes and need special lenses to correct my vision. If untreated this condition can cause permanent damage, I would get severe headaches because it would strain my eyes to read the Koran. After one and a half years I got the lenses but it was considered a comfort item which they would threaten to take unless I co-operated. In any case they never gave me the solution I needed for the lenses so it was pointless***'. (Rhuhel's eyesight is now permanently severely damaged as a result.)

Camp Delta – Conditions

124. After Camp X-Ray all three were transferred to Camp Delta about May 2002. The conditions in Camp Delta were more permanent than those in Camp X-Ray. The cells were made out of large shipping containers. The sides at either end had been removed as had the front. Inside each container they had constructed 6 mesh cages. The back wall, the floor and the roof were from the metal container but the side walls and the front were made of mesh. In the back wall there was cut out a square to act as a window, but this also had thick mesh across it.

125. Shafiq says that '***one of the effects of these mesh cages that I was surprised to discover was that looking through them 24 hours a day for weeks on end was causing damage to my eye sight. It became difficult to focus on things and when I was taken out of the cage either for a shower or interrogation, it would take me some time to adjust my vision***'.

126. A continuing problem was lack of privacy.

127. The conditions were inappropriate. When it rained, rain would come into the cage. It was also very humid and hot in Camp Delta which was made worse by the fact that they were in a metal container. The heat could become unbearable during the days and at night it was extremely cold. The detainees were never given any extra blankets despite the cold.

128. The detainees were transferred to Delta on a bus in the same way they were taken to Camp X-Ray. When they arrived in Delta, the interrogators and guards started using the idea of "comfort items" ("CI's") more often. Comfort items included almost anything that was not screwed or welded down in the cages. Ordinary items such as blankets, towels, face cloths, toothbrushes, toothpaste and even regulation single Styrofoam cups were considered "comfort items". They were removed at the discretion of the interrogators or the guards depending on the standard of behaviour and the extent of co-operation. Comfort items were also used as part of a "carrot

and stick" approach to their interrogation. If they cooperated, they were given or allowed to retain certain items. If they were perceived not to be cooperating, items were taken away.

129. Delta was placed very close to the sea and as such, the salt air would cause the containers to rust. This meant that there was constant reconstruction work and therefore large electric generators were running 24 hours a day. This made it difficult to sleep. There was also constant noise from the 48 or so other men all detained in the same "block". An unusual, but foreseeable problem that emerged in Delta was that the cages and the entire area around the containers were infested with rats. These were huge "banana" rats which would climb over the containers or around the cages. Every morning, the men would wake up to find rat droppings on their blankets or on the floor. There were also snakes in Delta but less than Camp X-Ray.

130. ***In normal circumstances such conditions would be difficult to endure. In Guantanamo Bay however we were deliberately kept hungry the whole time. We were constantly in a state of anxiety about our future and totally at the mercy of the guards***'.

131. All three men say that they believe the conditions were designed specifically to assist the interrogators. They were able, with great precision, to control the behaviour of the detainees depending on the type of answers or the level of cooperation they believed they were getting. The interrogators had already made up their mind as to what they wanted and it often became a question of trying to gauge what they wanted to hear and give the right answer.

132. Those detainees who did not cooperate with them, despite the loss of comfort items and recreation (recreation was considered a comfort item and even the five minutes exercise a week could be removed if they thought you weren't cooperating) were taken to another camp altogether and detained in total isolation (see below).

133. Shafiq comments ***"while we were in Guantanamo each of us was interrogated for hundreds and hundreds of hours by the Americans. The same questions were repeated over and over and over again.***

134. ***During the whole time that we were in Guantanamo, we were at a high level of fear. When we first got there the level was sky-high. At the beginning we were terrified that we might be killed at any minute. The guards would say to us 'we could kill you at any time'. They would say 'the world doesn't know you're here, nobody knows you're here, all they know is that you're missing and we could kill you and no one would know'.***

135. ***After time passed, that level of fear came down somewhat but never vanished. It was always there. We were in a situation where there was no one we could complain to and not only could they do anything to any of us but we could see them doing it to other detainees. All the time we thought that we would never get out. Most especially if we were in isolation there would be a constant fear of what was happening and what was going to happen. If it hadn't been for the Arabs knowing by the position of the sun when to pray, we wouldn't have known even that. We didn't know the time. We know the dates we do know because we counted for ourselves and some soldiers would tell us enough to let us slightly keep track, otherwise there was no way and there was never meant to be any way. Sometimes the prayer call would be played five times a day, but then it would be stopped again.***

136. ***We were deliberately kept in a state of enforced boredom which increases the despair. After a year one day they came with boxes of books all in English. They were given out to people including those who couldn't speak English. We each got something to read. It seemed to be completely accidental what we got given. We read and reread our first book, as many as ten times each."*** [Shafiq was given a book called 'Killing Time' about Americans going to Afghanistan to wipe out the Taliban regime. Rhuhel got 'Planet of the Apes'.] ***"There were a limited number of books. You soon had read all. In 2003, the books that we were given started to have a large amount of the contents torn out – for***

instance novels would have large chunks ripped out but we would still read them because we were so desperate for something to distract ourselves. The Red Cross told us that they had brought 2000 books but they had mysteriously disappeared and never got to the detainees."

137. **"*We were also told that the Red Cross had brought a large number of language books. For instance, people were interested to learn Arabic or English, etc. We briefly had access to them and then they were taken away again and we never saw them again*."** Shafiq recollects them saying ***"you're not here to learn anything, you're a prisoner, you're here to be punished".***

138. Although in Delta the cages had a sink, with running water and a toilet (squat toilet) with a flush, (Shafiq says that '***to go to the toilet we would put up a blanket, though some MPs would, in the early days, insist on taking these down***'), the cells were smaller than those at Camp X-Ray mainly because there was a bunk/bed welded to the floor of the container from which the cell block had been created. This restricted the space. Shafiq still suffers from pain in his back, legs and knees as a result of the cramped space and lack of exercise (15 minutes twice a week).

139. (In the first few months, they were allowed a one minute shower per week. Later this increased to 5 minutes per week and after 7 or 8 months in Delta, they were allowed 2 showers a week. This was still not enough because as a result of the heat and the humidity they would be constantly sweating and feel dirty. Most of the people in the cell blocks grew their beards, but if they shaved they were allowed a razor for 2 or 3 minutes once a week and then had to hand it back.)

140. When Rhuhel arrived at Delta he went to isolation straight away. He was never told why. He had not done anything wrong and believes the move was at the direction of intelligence officers. He stayed in isolation for about one month.

141. After he was taken out of isolation Rhuhel was taken to one of the blocks. He was put in a cage next to Martin Mubanga, another British detainee. Asif and Shafiq

were in the same block as David Hicks, Feroz Abbasi and Jamal Hareeth. The only person, close enough for Rhuhel to speak to though was Martin. Rhuhel says '***Martin and I would talk about things in the UK, football, boxing and our interrogations. He was very quiet***'.

142. During this time they were interrogating Rhuhel every Sunday. They asked the same questions over and over again. This continued for 6 months. The interrogators were mostly American though MI5 officers came on one occasion. He always maintained the same account to his interrogators. They also started to show photographs of people from the UK (people he did not know).

143. (It was very clear to all three that MI5 was content to benefit from the effect of the isolation, sleep deprivation and other forms of acutely painful and degrading treatment including 'short shackling' (see below). There was never any suggestion on the part of the British interrogators that this treatment was wrong or that they would modify their interrogation techniques to take this into account or the long-term consequences of isolation, humiliation and despair. All three men express considerable anger at the fact that the MI5 agents were content and in fact quite happy that they were long shackled and attached to a hook through-out their interrogations.)

144. The quality of the questioning was extraordinarily low. Each was asked repeatedly for names and details of all of his relatives in England, in Pakistan or Bangladesh or other countries where their families had a connection (in the case of Asif his father was born in Kenya which led to questioning about bombings in Kenya in 1998). He was also asked about the 'Cole'. He did not know what the 'Cole' was (a ship in the Yemen that had been attacked). It was they who told him about these events.

145. After 6 months Rhuhel was moved to the cell opposite Shafiq. Asif had been taken to isolation over the incident with the food (see below). (He stayed there for about one month). This was the first time Rhuhel had seen Shafiq since Kandahar.

146. After about a month, Shafiq and Rhuhel were moved to Camp 2 together. Rhuhel was then not interviewed for the next 6 or 7 months. They were there for about one month and then Shafiq was moved back next to Asif. Rhuhel stayed in the new block in Camp 2 for about another month. Again there was no one to speak to. They were all French speakers, but there were also many prisoners from Uzbekistan. After this Rhuhel was moved back to the same block as the other two. Within a week he was moved to isolation. Rhuhel says '***I complained about the food. The portions were less than normal and this was seen as a disciplinary offence. I was not ERF'd but was taken in shackles to isolation where I stayed for one week***'.

147. After this he was moved back opposite Shafiq and Asif. He was then moved to another block for a night and then a third block where he stayed for about 3 months. There were mainly Arabs and Afghanis in the third block but by then he had learnt Arabic so he could communicate. After some 3 months he went back to the same block as Shafiq and Asif but within a week he was moved to isolation. Rhuhel says '***I was in my cage singing a song but this was again seen as a disciplinary offence. The song I was singing was an American rap song with some abusive words in it. One of the female guards took offence and I was sent to isolation. This is an example of how difficult it is to get by without there being any clear rules because singing by itself was not necessarily an offence. I stayed in isolation for one week and then moved back next to Asif. We stayed there for a few months. At this point I was on tier two, but I was still not getting interrogated, unlike the other two'***.

148. (Rhuhel's next move was following the 'discovery' of the video and his 8 hour interrogation (see below). He had started to be interrogated for a few times by Steve but was handed over to "Sarah".)

149. Asif was also moved on occasion to isolation. He says that '***after about one month at Camp Delta, I was moved to isolation as a punishment. The reason for this punishment was that I'd been making fun of a military policeman. As a result of my jokes, I was told that I'd be given less food. When the next meal***

time came around I was given such little food that it was ridiculous. I agreed with one or two others that we would not condone this treatment by eating the food, and therefore when they came to collect the paper plate, I ripped mine up and threw it out of the cell. The guards then said that they wanted to search me and therefore I had to put my hands through the cage in the regulation fashion so that they could be chained. I refused to do this as well. I was lucky that the guards did not rely on the ERF team but I was told to leave the cell and accompany the guards. I was shackled as usual but because I was cooperating they did not rely on the ERF team. I was taken from my cage to isolation. On another occasion I scratched 'have a nice day' on my Styrofoam cup and this was seen as a disciplinary offence for which I spent another week in isolation'.

150. After this second period of isolation Asif was moved to a block which housed only Chinese speaking detainees. Given that every move was observed, recorded and monitored he takes the view that was a deliberate move to 'break him'. He also believes that the British were complicit in this decision because he explains that shortly before, he had been taken to be interrogated by two officials from MI5 (including 'rat face' – see above). There was also an Embassy official present. He says that the guards who came to take him to this interrogation were extremely aggressive and as they secured him to place the shackles on his hands one of them put such pressure on Asif's neck that he was in terrible pain. When he got to the interview he refused to speak to the interrogators. The Embassy official on this occasion suddenly started acting as a third interrogator which upset Asif even more. He told them that he had been promised for months that if he co-operated with them he could go home but they had done nothing for him. He had sworn at them and refused to identify people in photographs they put in front of him which they said were of people from Tipton.

151. The move to the block with the Chinese (possibly Uighurs) was very difficult for Asif. There was no-one to talk to. As a result he explains, '***I started to suffer what I believe was a break down. I couldn't take it any more. I asked to speak to a psychologist but all they said was that I should be given Prozac which I didn't***

want to have. The other prisoners who had this were just like zombies and put on loads of weight. I was having flash backs and nightmares about the containers and couldn't sleep at night. I was in this block for 3 months. While I was there I was interrogated three times. I kept telling the interrogator that I was about to crack up and I'm sure it was obvious that I was in a bad way. All he would say to me was that I should 'behave on the blocks' which made it clear to me that they had thought carefully about the best way to punish me and break me and decided that as I am quite sociable and like talking I should be kept with people I couldn't communicate with. I began to behave in the way they wanted. I would not make jokes in the interrogation and just answered their questions. At the end of my third interview the interrogator told me to 'hang in there' because he could see how distressed I was. I was moved from the Chinese block three weeks later'.

152. Recreation in Delta was compulsory. Initially this was quite restricted, but eventually the regime was 15 minutes of exercise/recreation twice a week. If a detainee did not go to recreation at his allotted slot, the ERF would come and take him. Shafiq says '***you had to attend even if you were ill. We did look forward, occasionally, to recreation, because it was an opportunity to stretch our legs; however the exercise had to be done alone in a small yard watched over by the guards. Initially we had to wear shackles but they eventually let us walk freely. The problem with recreation was that whenever it was your time to come to the yard you had to leave immediately. Even if you were in the middle of your prayers they would give you at the most one minute to finish and then drag you out. This was the same with the showers***'.

153. Asif says, '***returning to the question of the monitoring and observation, I should say that when we moved to Delta, a short time later, we found out that all the cages had been bugged. One of the detainees accidentally broke a tap by the sink and a microphone literally fell out. In Delta, you could talk to the people next to you without much difficulty, or opposite you but you couldn't shout or yell further down the block. This made things a little easier because we could share experiences and talk fairly openly (notwithstanding the bugs)***'.

Explanation for Detention

154. Shafiq says '***as far as I know, none of us were ever told why we were in Cuba other than we had been detained in Afghanistan. Of course we were told that they considered us "unlawful combatants" but whenever any of us asked what this meant they refused to give us a definition'***. Asif says that '***I was told it is easy to get to Cuba but hard to get out***'.

155. As set out above, there was never any redress when they were mistreated or rules were broken. Throughout their time none of the men ever heard of any procedure or rules, guidebook or structural process for complaining. The Americans operated according to their 'standard operating procedures' (which also governs their operations on bases in the UK but is so secret prosecutors in English Courts and the police are not allowed to see it) but no one was allowed to see these or become aware of the details other than from experience. They were never told how they could progress through the system (or indeed what the system was). They found out, through discussions with others and their own experiences, that the interrogators were applying a four tier system that was based on a degree of cooperation from a particular detainee.

156. In this system level or tier four was considered the worst. Such detainees were often removed (as set out above) and placed in a separate camp. This was called Camp Echo (see below). Level or tier one denoted the highest degree of cooperation. As far as the men understood it, many of the detainees were admitting to almost any of the allegations put to them simply to alleviate the harsh conditions. Asif says that '***in my case I admitted to many things in an attempt to get home and to have an easier time whilst I was in Cuba***'.

157. Shafiq says, ***'I was moved from Camp X-Ray to Camp Delta at around the beginning of May 2002. Throughout my time at Guantanamo I had never been placed in isolation. Towards the end of December 2002 a new system was introduced, although we weren't aware of it as a system as such whereby***

detainees would be placed on different levels or tiers depending on their level of co-operation and their behaviour in the camp. At the beginning I was placed on Level 2, the second highest level. This meant that I had all the so called comfort items, including toothpaste, soap, cups etc. The only better position to be would have been Level 1 where you were also given a bottle of water. Apart from the time when I was questioned about a video I remained on tier two until after the video incident when I went to tier one'.

158. Despite this, different people were still placed on different tiers for no apparent reason. Many people took the view that some of those being given tier one status were simply getting it as part of an attempt to suggest that they were informers or to try and encourage people to believe that they were cooperating where as in fact they weren't.

(Re the 'level that you were placed on)

159. ***"It wasn't always possible to know why you were on the level you were on. So far as there seemed to be a rational explanation, in relation to the 'intel blocks', ie a block where the interrogators put you, these are blocks where the people placed in them are people the interrogators think have special knowledge. They might be people who are cooperating or who are not cooperating but they've been put there because they're of interest to the interrogators. We were on 'intel' blocks all the time. The military police told us that if you looked in the computer at our files it would say 'high priority' on them and that no one else in the camp had that, but we've no idea why that was. It apparently was only there for the last year and we wonder now if it could have been because of our Court case in America although we did not know anything about that at the time or we knew nothing about that except for what one guard once let slip to us."***

160. The authorities in Guantanamo have absolute power over the detainees. They are not accountable to anybody and there is, as far as the men can see, no control on their behaviour. Shafiq says that '***when you are detained in those conditions, you are entirely powerless and have no way of having your voice heard. This has led me and many others to "cooperate" and say or do anything to get away***'.

161. ***"It is clear to us that the military police were not free to make individual decisions at all and that … We had the impression that at the beginning things were not carefully planned but a point came at which you could notice things changing. That appeared to be after General Miller around the end of 2002. That is when short-shackling started, loud music playing in interrogation, shaving beards and hair, putting people in cells naked, taking away people's 'comfort' items, the introduction of levels, moving some people every two hours depriving them of sleep, the use of A/C air. Isolation was always there. 'Intel' blocks came in with General Miller. Before when people were put into***

isolation they would seem to stay for not more than a month. After he came, people would be kept there for months and months and months. We didn't hear anybody talking about being sexually humiliated or subjected to sexual provocation before General Miller came. After that we did. Although sexual provocation, molestation did not happen to us, we are sure that it happened to others. It did not come about at first that people came back and told about it. They didn't. What happened was that one detainee came back from interrogation crying and confided in another what had happened. That detainee in turn thought that it was so shocking he told others and then other detainees revealed that it had happened to them but they had been too ashamed to admit to it. It therefore came to the knowledge of everyone in the camp that this was happening to some people. It was clear to us that this was happening to the people who'd been brought up most strictly as Muslims. It seemed to happen most to people in Camps 2 and 3, the 'intel' people, ie the people of most interest to the interrogators."

162. ***"In addition, military police also told us about some of the things that were going on. They would tell us just rather like news or something to talk about. This was something that was happening in the camp. It seemed to us that a lot of the MPs couldn't themselves believe it was happening. They said to us they wanted to get out when their time was done and they would not go back in. They said that they felt ashamed of the Army that these things were going on. Most of these people were reservists. Many of those at the camp were people who as reservists had been recently drafted. And many of them thought that it was a big personal mistake they'd made. We got the impression that most of them had done it because they wanted the pension that being a reservist carried or to put them through college and then suddenly found themselves in Cuba as a result and they had no choice. They told us that they couldn't say no and that otherwise they would be sent to a military prison. Some of the MPs had Muslim friends in America and they were ones who were nicest to us."***

163. ***"They told us about the fact that they were going to be sent to Iraq and how they didn't want to go. They'd come and tell us about how they read of soldiers being killed each day in Iraq. Although they didn't want to be in Cuba, for them it was at least better than going to Iraq."***

Camp Echo

164. The three men never saw Camp Echo but report that Moazzam Begg (see below) and Feroz Abbasi are detained there. In this Camp the detainees are held in total isolation indefinitely. They are apparently allowed a Koran with them but all the other conditions of isolation described below also apply. They are kept under 24 hour watch by a guard sitting outside the cell, though the guard is not allowed to speak to them. This means that the only people they are ever allowed to speak to are the interrogators.

Assaults at Guantanamo

165. All three report that when they were at Camp Delta around August 2002 the medical corps came round to see them and asked if they wanted an injection although they wouldn't say what it was for. Most of the detainees therefore refused to have one. A few hours later the medical corps returned, this time bringing the Extreme Reaction Force (ERF team). The ERF team was dressed in padded gear so they had pads on from their boots, padded vest, helmets like motorcycle helmets with visors, thick gloves up to their elbows and some of them had riot shields. They were always accompanied by someone who filmed them.

166. Rhuhel says '***the ERF team would come into the cell, place us face down on the ground then putting our arms behind our backs and our legs bending backwards they would shackle us and hold us down restrained in that position whilst somebody from the medical corps pulled up my sleeve and injected me in the arm. They left the chains on me and then left. The injection seemed to have the effect of making me feel very drowsy. I was left like that for a few hours with my legs and arms shackled behind me. If I tried to move my legs to get in a more comfortable position it would hurt. Eventually the ERF team came back and simply removed the shackles. I have no idea why they were giving us these injections. It happened perhaps a dozen times altogether and I believe it still goes on at the camp. You are not allowed to refuse it and you don't know what it is for***'. Asif and Shafiq describe similar experiences but they were not left shackled.

167. One example of such an assault happened in the same block as Asif and Shafiq as well as David Hicks and Feroz Abassi. Jumah al Dousari from Bahrain, who had lived in America for some time, was already mentally ill. He used to shout all the time. The guards and the medical team knew he was ill. Whenever soldiers would walk past his cell he would shout out and say things to them. Not swearing but silly things. He would impersonate the soldiers. One day he was impersonating a female soldier. She called the officer in charge, the commander that day, whose name was

Blanche (the same person who was in charge the day that the dog was brought into Asif's cell; see below) – a staff sergeant E6, E6 being his rank structure. He came to the block and was speaking to Jumah. Shafiq says ***"I don't know what was said but the next thing he called the ERF team. While the ERF team was coming he took the female officer to one side. I heard him say 'when you go in that cell you're going to f-ing kick him'. She seemed apprehensive. He kept shouting at her to make her say back to him what he had said. It was very odd. There were usually five people on an ERF team. On this occasion there were eight of them. When Jumah saw them coming he realised something was wrong and was lying on the floor with his head in his hands. If you're on the floor with your hands on your head, then you would hope that all they would do would be to come in and put the chains on you. That is what they're supposed to do. The first man is meant to go in with a shield. On this occasion the man with the shield threw the shield away, took his helmet off, when the door was unlocked ran in and did a knee drop onto Jumah's back just between his shoulder blades with his full weight. He must have been about 240 pounds in weight. His name was Smith. He was a sergeant E5. Once he had done that the others came in and were punching and kicking Jumah. While they were doing that the female officer then came in and was kicking his stomach. Jumah had had an operation and had metal rods in his stomach clamped together in the operation. The officer Smith was the MP Sergeant who was punching him. He grabbed his head with one hand and with the other hand punched him repeatedly in the face. His nose was broken. He pushed his face and he smashed it into the concrete floor. All of this should be on video. There was blood everywhere. When they took him out they hosed the cell down and the water ran red with blood. We all saw it."***

168. Asif describes being in isolation. They took his Koran away from him having already taken his other possessions. His hands were shackled in front of him. He was looking back. The guard taking him held his neck to push it back so he couldn't look back. He was pushed into a corner and was punched in the face numerous times and kneed in his thigh. They opened his chains, put him on the floor of his cell and then left and locked the door before he could get up. The doctor came shortly

after, not for that reason but to give him Ensure because he was seriously underweight. She saw the heavy bruising all over his thigh. Asif asked to call the senior officer to complain about what was done to him. “***The guards saw me talking to the doctor, called her over and told her to do nothing*.”** That was the last Asif saw or heard of anyone. He told the next shift and they told him that he should have told the previous shift.

169. On another occasion Asif witnessed a man on the toilet. The guards came to take him for interrogation. He was still on the toilet. (The guards are not supposed to open the door unless you stick your hands out. That’s the procedure.) So they pulled him off the toilet, shackled him and took him to interrogation. He complained, that is to other guards in the block and were told those were the orders from interrogation. There were many many further assaults. An MP even boasted that he had beaten someone in isolation with a large metal rod used to turn on the water to the blocks. He said there was no one to tell.

Interrogations at Camp Delta

170. In relation to the interrogation blocks at Delta, they fell into the following categories: yellow building, brown building, gold building, blue building, grey building and orange building. All the booths either had a miniature camera hidden in them (it was possible to see the cameras in the air vents) or they had one way glass behind which sometimes it was possible to make out other individuals using video cameras. Asif states that '***during one particular interview with MI5, I remember seeing people behind the MI5 man filming me. Most of the interrogations in Camp 1 were in the brown or the yellow building. After they built Camp 2, most of the routine interrogations took place in the gold building and the brown building was then used for the torture***'.

171. After a while it became apparent that the interrogators were no longer interested in any "information" they might obtain from the men, or indeed in getting "confessions". Asif states that in early 2003 he was told by one of the interrogators that 'this source has no further value'. Shafiq says '***I certainly began to think that junior interrogators were being brought in to "practice" on us because they would repeatedly go over the same ground that had been covered by another interrogator say a week or ten days earlier. They were often junior and confused about our background or the circumstances that had led to us arriving in Guantanamo***'. The interrogations continued however in the same way. They would often continue for 2 to 3 hours (sometimes 5 or 6 hours). The men would be chained to the hoop in the middle of the floor having to put up with question after question which they had answered a hundred times before.

172. ***So far as the American interrogators were concerned they did not seem knowledgeable at all about the subjects they were questioning us about. The Americans wanted to know about Afghanistan, who we knew there, who we met, what we saw. They asked us, for instance, if we saw laptops, explosives, chemical weapons, barrels, metal containers with skull and crossbones on and a danger sign and missiles and ammunition dumps and anyone with***

satellite phones. We hadn't seen anything. We hadn't even seen electricity. One interrogator, James, said to us, looking at his piece of paper, 'some of these questions are so ridiculous I'm not going to ask you'. However, Shafiq was asked questions like ***'if I wanted to get surface to air missiles from someone in Tipton who would I go to?' We were asked if we had seen laptops and computers in Afghanistan with pictures of liquids and laboratories and chemical weapons.***

173. ***At some interrogations we were shown photographs of Donald Duck, Mickey Mouse, Tom & Jerry, Rug Rats, Abraham Lincoln, Michael Jackson, Fidel Castro, Che Guevara, Osama Bin Laden and famous people from different countries. Actresses for instance, Sharon Stone, etc. One American interrogator called Mike Jackson, from LA FBI, said that he had been sent by 'the Queen' according to him. He said that MI5 had sent him photographs because they couldn't come and had asked him to ask us about them. These were photographs of British citizens. There was one English woman with blonde hair amongst the photographs. These were all surveillance photographs taken of people as they went shopping in Tescos, etc. or with their friends. Very different people came in fact with the same set of photos (all Americans) and none of them knew that we had already been asked about the photographs on other occasions. This in fact happened numerous times during the interrogations. We'd be asked the same thing again and again by different sets of interrogators who didn't know the answers. There seemed to be no coordination of the information that they were getting or trying to get. The Army would come and show the pictures to us, then the FBI and then the CIA. They didn't seem to pass information amongst themselves. And from the FBI different people would come from different departments.***

Isolation and interrogations (pre May 2003) – Shafiq

174. Shafiq says 'b***etween October 2002 and May 2003 I was interrogated maybe 5 or 6 times. Most of the interrogators simply repeated the questions I had been asked before although they did also introduce some maps of Pakistan and Afghanistan and asked me to point out what routes I'd taken when I had entered the country and where I'd stayed. They also showed photographs of Muslims who I assumed were British although I didn't recognise anybody. Around about the end of March, beginning of April 2003, I was taken to the Gold building for an interrogation. I was taken into a room where I met somebody I had not met before who was not formally an interrogator. He was there to conduct a polygraph test. Before I entered the room I met two interrogators who had interrogated me right at the start when I first arrived at Camp X-Ray. One of them said to me that hopefully if I passed the polygraph test I would be allowed to return home. I felt very hopeful that this might be the beginning of the end at Guantanamo Bay. For the first time since being detained by the U.S, I was asked questions without being shackled.***

175. ***I was made to sit on a chair facing the wall and the man placed some pads on my fingers which were connected to a lap top machine he had on a desk behind me. Additionally I had a blood pressure pad tied around the calf of my left leg, also connected to the lap top and something else was tied around my chest. I was then asked a series of questions. Throughout the period of about an hour when I was questioned I was told that I must not move at all. He first asked a couple of control questions like: 'are the lights on in the room' and 'do you drink water'. He then went on to ask me if I was a member of Al-Qaeda. He had a list of training camps and he asked me if I'd trained at any of those camps. He asked if I had special weapons training and if I had any experience or training in chemical warfare. I answered truthfully and negatively to all the questions put to me. He asked the same questions about six times each and I gave the same answers on each occasions.***

176. ***After about two hours of questioning he didn't say anything to me but just left the room. After that I was taken away back to my cell and I never saw that man again. I had no idea what the results of the tests were at that stage.***

177. ***About two weeks later I was taken to the Brown building where I met a female interrogator who I had met previously in the block but she had not asked me questions before. She was Army personnel, I believe, but in civilian clothing. She said to me: "congratulations, you have passed your polygraph test." I was obviously very pleased and asked if I would be allowed to return back to England. She said she couldn't give me any information about that.***

178. ***I then waited for about a month and didn't hear anything. I did not have to attend any interrogations during that period.***

179. ***I was aware that Asif had also been asked to do a polygraph test in fact we were both taken at the same time. Rhuhel was not taken for polygraph testing at that time (see below). I am not aware as to whether any other detainees were asked to do polygraph tests.***

Isolation and interrogations (May/August 2003) – Shafiq

180. ***After a while the guards suddenly came to collect me and moved me to Tango block (I'd previously been on Lima block). Tango block was for Level 4 detainees and all my comfort items were therefore removed. I asked why I was being moved but nobody would explain the reason.***

181. ***After about a week I was in my cell when I heard a guard talking to a detainee in the cell next to me and saying "look at that British guy next to you, we have found out that he and his two friends from Britain are terrorists and linked to Al-Qaeda as well. We have found videos which prove that they are linked to the men who carried out the September 11th attacks". When I heard this I called the soldier over and said "what is all this about?" He told me that "my superiors have told me that they have found video evidence on you and your two friends". I was extremely shocked and did not have a clue about what he was talking about. I didn't see that soldier again.***

182. ***About a week later I was suddenly collected and taken to one of the three isolation blocks, 'November'. I asked the Sergeant why I was being moved and he simply said "we don't know. The order is from the interrogators". I was placed in a metal cell painted green inside. It was filthy and very rusty. There was a tap, sink, toilet and a metal bunk. It was extremely hot, hotter than the other cells I'd been in previously. Although there was an air conditioning unit it was turned off so the cells were much hotter than the ones I was previously held in because they were completely closed off and no air could come into the cell. There was a glass panel at the hatch at the front of the cell so they could keep an eye on us. Whilst it was extremely hot in the daytime, at night when it got cold, anyway, they would turn the air conditioning up so that it became freezing. I didn't have a blanket or a mattress and had only my clothes to keep me warm so I got absolutely freezing at night. For the first week I had no idea what was going on. I was not taken to interrogation; I just had to sit there waiting. I felt like I was going out of my mind. I didn't know***

where the others were, I didn't know why I was being held there. Nobody would talk to me. I was taken out maybe just twice for showers but that was it. I was extremely anxious. Then about a week later I was taken by two soldiers to interrogation at the Gold building.

183. ***I was taken into a room and short shackled. This was the first time this had happened to me. It was extremely uncomfortable. Short shackling means that the hands and feet are shackled together forcing you to stay in an uncomfortable position for long hours. Then they turned the air conditioning on to extremely high so I started getting very cold. I was left in this position on my own in the room for about 6 or 7 hours, nobody came to see me. I wanted to use the toilet and called for the guards but nobody came for me. Being held in the short shackled position was extremely painful but if you tried to move the shackles would cut into your ankles or wrists. By the time that I was eventually released to be taken back to my cell I could hardly walk as my legs had gone completely numb. I also had severe back pains.***

184. ***I was returned to my cell with no explanation as to why I had been brought to interrogation and I was then left in the Isolation cell for a further week. Again, nobody would explain to me what was going on and I felt I was going crazy inside my head. Some time during that week I saw Asif and Rhuhel being brought into the November block and placed in cells further down the corridor.***

185. ***The next day after Asif and Rhuhel had arrived I was taken to interrogation in the Gold building. I was long shackled and chained to the floor. There was an interrogator in the room this time. He showed me some pictures which I later discovered were stills taken from a video. The pictures showed about 40 people sitting on the floor in a field. He asked me if I recognised anybody in the picture. The picture was not very clear and I didn't recognise anybody.***

186. ***He then showed me another picture where three people were sitting together and there were arrows pointing with my name as well as Asif and***

Rhuhel's name. Behind the three men who were supposedly the three of us there was another person with an arrow indicating that he was Mohammed Atta one of the September 11th hijackers. I don't know whether the picture was Mohammed Atta or not, the man in the photograph had a beard whereas the only pictures I've seen of Mohammed Atta are of him being clean shaven. I believe the interrogator was from Army Intelligence. He was an American Arabic guy who I knew by the name Bashir although other interrogators called him Danny. He started basically accusing me of being present at the meeting, of being the person in the picture and of being involved with Al-Qaeda and with September 11th hijackings. I was denying it but he wouldn't believe me.

187. ***When I saw the photographs I could see that they were purportedly from 2000 and I knew that I was in England during that time, which I told him.***

188. ***After the first interrogation I was brought back to my cell and then a few days later brought out again. This time I was short shackled. I was left squatting for about an hour and then this Bashir came back again and he started questioning me again about the photographs and trying to get me to admit that I was in the photographs. I was telling him that if you check you will find out that I was in England during this time. After a while he left the room and I was left again in the short shackle position for several hours (I think for about 4 hours) before I was eventually taken back to the cells. When we were left in the interrogation rooms we were not provided with food and we missed meals. We also missed our prayers.***

189. ***After this I was taken back to my cell and then at intervals of about 4 or 5 days at a time I was brought back to the same interrogation block where I was short shackled and left for hours at a time and not interrogated at all. This happened about 5 or 6 times.***

190. ***On a couple of occasions when I was left in the short shackle position they would play extremely loud rock or heavy metal music which was deafening. Probably the longest period of time I was left in the short shackle position was***

7 or 8 hours, which was on the first occasion. On other occasions I would be left in the room for up to 12 to 13 hours but in the long shackle position. Nobody would come in. Occasionally someone would come and say that an interrogator was on their way but they wouldn't turn up. For a period of about 3 weeks I was taken backwards and forwards to interrogation but not actually asked any questions.

191. ***Also during that period a marine captain, together with a number of soldiers and some interrogators turned up at my cell in isolation. I was told to get on my knees I was shackled and then moved from November block to Tango block.***

192. ***About 10 to 15 minutes earlier I had seen Asif being moved in the same manner. I have no idea why I was moved. It was slightly better than being in isolation because at least it was open. However, after only three days I was then moved back again to November block. By this time Rhuhel had been moved and I'd no idea where he and Asif were being held.***

193. ***I remained in isolation after this for a further two months without any comfort items at all, apart from a blanket and mat.***

194. ***On one occasion when I had been questioned by Bashir I said to him how can you ask me these questions when you know I've passed my polygraph test. Bashir told me that I'd actually failed my polygraph.***

195. ***On an earlier occasion when I was brought to interrogation from isolation I met with a different set of interrogators who were from Criminal Intelligence (CID). They told me that they were the ones that were going to start the tribunals. One of the guys was called Drew and another Terry. They were asking me questions about the video again and I was asking what date the video was taken because I could show that I was in Britain. He told me, "I'm not going to tell you". I said "are you trying to screw me over?" He said "maybe".***

196. ***I was interrogated repeatedly about my presence at this meeting but the Americans had made up their mind and refused to accept my account. I told them in detail that at the time the video was supposed to have been taken I was working in Currys in England and going to college. When I said this, they would turn it around and say that I knew I was going to Afghanistan at the relevant time and therefore I had laid a false alibi trail before I left. Whatever I said they would ignore and refused to listen to me.***

197. ***About a month after I'd first been brought into isolation for the second time I was taken to interrogation and met Bashir again. I was in long shackle position and on this occasion he also brought along a female in civilian clothing. Bashir told me that she had come all the way from Washington to show me a video. I was then shown a video on a 14" tv on the table in front of me. Before they put the video on they told me that it was an Osama Bin Laden rally in Afghanistan. Apparently the rally took place at somewhere called Turnok Farms somewhere in Afghanistan.***

198. ***There was no sound on the video but you could see a number of men sitting down and Osama Bin Laden appearing and giving a speech. I wasn't sure whether it may have been filmed by a hidden camera. The quality of the picture was not good. She suggested to me that the three men sitting down that had previously been pointed out in the photograph were me, Asif and Rhuhel.***

199. ***I said it wasn't me but she kept pressing that I should admit it. She was very adamant. She said to me "I've put detainees here in isolation for 12 months and eventually they've broken. You might as well admit it now so that you don't have to stay in isolation". Every time I tried to answer a question she insisted I was lying. She kept going on and on at me, pressuring me, telling me that I was lying, telling me that I should admit it. Eventually I just gave in and said "okay, it's me". The reason I did this was because of the previous five or six weeks of being held in isolation and being taken to***

interrogation for hours on end, short shackled and being treated in that way. I was going out of my mind and didn't know what was going on. I was desperate for it to end and therefore eventually I just gave in and admitted to being in the video.

200. ***I was the only one out of the three of us to see the video. I could not bear another day of isolation let alone the prospect of another year and can only imagine how terrifying it must be for Feroz Abbasi or Moazzam Begg being in detention and isolation for so long.***

201. ***As soon as I broke down and admitted that it was me she just got up and left the room and then I was taken back to my cell.***

202. ***After that I remained in isolation for another five or six weeks. I was not taken for interrogation, apart from to Brown building where the FBI showed me photographs of various people asking if I knew any of them but I didn't. Apart from those periods I was left on my own in isolation, not knowing what was going to happen to me or what was going on. I thought that perhaps now I would be tried for a crime although I didn't know what was going on with Asif and Rhuhel.***

203. ***After about five or six weeks I was moved to Oscar block (another isolation block) where I became aware Asif and Rhuhel were being held. I wasn't able to speak to them as I was at the other end of the block. I must have been there for a further few weeks, again I was denied 'comfort items', denied everything apart from showers two or three times a week. During this period they stopped allowing us out for exercise at all, until the International Red Cross told them that they had to let us exercise. Whilst I was held on Oscar block I was not taken for any interrogation.***

204. ***Then, around the middle of August 2003, I was moved to another camp within Camp Delta and placed on Echo block. This time I was placed on Level 1 and was given back all my comfort items and additionally given a bottle of***

water. Nobody explained why I had been moved back to this block. About two weeks after being on Echo block I was called into the Brown building where I met for the first time an interrogator called James, from Army Intelligence. He told me that I would be moving into the same block in cells next to Asif and Rhuhel. He didn't ask me any questions. I asked him what was going on with the video and everything and he said I will be seeing you later in the week and I'll explain what's going on.

205. ***After that meeting I was then taken to Kilo block where Asif already was. Kilo block is run by Intel (ie by the interrogators who decide what you're entitled to and what you're not entitled to). I had previously been on an Intel block when I was held in Lima before being moved to isolation.***

206. ***Rhuhel was brought to Kilo block the next day and the three of us were able to talk to each other. I think that the reason we were taken away from isolation to this block was because the same interrogators were now dealing with us and they may have thought they would get more information out of us if they allowed us to talk to each other as the blocks were bugged so they could overhear our conversations.***

207. ***Over the next two weeks every day I was brought to the Brown building to be questioned by the new interrogator James, from Army Intelligence.***

208. ***During the first two weeks I was on Kilo I was brought every day to be questioned by James. We would be brought in succession, usually Asif first, then Rhuhel and then myself. He started asking me lots of questions about my movements during the period of the video in 2000. He was asking for alibi evidence. I told him where I was working and when I was at university and that he could get my records to prove that I was in England. He was gathering various details.***

209. ***On one occasion he asked me to do a voice stress analyzer test. He told me that it was better than a polygraph. I said to him that I didn't want to do it***

as I had already passed my polygraph test, even though Bashir had said I had failed. He told me I would have to do it but I refused. The reason I refused was because I felt they were playing a game. They had previously told me that I had passed my polygraph and I would be going home and then they told me I had failed my polygraph. I felt they kept moving the goalposts and I didn't want to co-operate with their tests any more.

210. ***During the time I was questioned by James he would bring cakes in to eat. The last interrogations I had with James he started showing me photographs of other detainees at Guantanamo Bay and asking me if I knew them. I said well, yes, I do, because I've seen them here. I felt that he was clutching at straws to try and find a way of implicating me in some way or other. This seemed to be part of a pattern of encouraging people not just to give information in interviews but also to inform on others in the camp. They would announce upon loud speakers (particularly when people were released) that if we co-operated with them they would release us. We knew this included acting as an informant.***

211. ***After the last interrogation with James I was told I was now going to be handed over to Navy Intelligence. However, before this happened, whilst I was still being questioned by James in September 2003 I was brought into interrogation and I was left to sit on my own for 8 hours waiting for the interrogators to arrive. I had been fasting that day and when it was the end of the day I asked for a glass of water but was told I could not have any. I also asked for food and to pray but they refused to allow me. Nobody came to see me that day and I was taken back that evening. Then the next day I was brought to interrogation and this time the British officials arrived. These included a British Embassy official who I knew by the name of Martin and two MI5 agents named Lucy and Alex.***

212. ***During the first consultation with Martin, he asked me if I was okay, or if I had any problems. I told him that I'd been kept in isolation for three months for no reason. I also told him my knees were in a lot of pain because of the***

lack of exercise I was getting. He told me that he had two letters, one from my mother and one from my brother which he took out and I actually saw them but he said he wasn't allowed to give them to me until they had been cleared with the authorities. I never actually saw those letters. I hadn't heard any news from home since about February 2003. I asked him what was happening, whether I was going to be tried, whether I would have lawyers, and various other questions. He said MI5 officers would be coming the next day and they would answer my questions. I should say at this point that in our experience if MI5 were to visit the camp we were never left in isolation. We think this is because they would ask each time what level we were on (after the level system started). We don't know if it was for their records. We know however, that they would know we'd been in isolation if only because we told them.

213. ***I was returned to my cell that night and the next evening all three of us were taken to the interrogation block (this time it was the CIA building). I was taken to Orange building where I met the two MI5 officers, Alex and Lucy. I had previously met Lucy on two occasions, once in December 2002 and once in April 2003. I had previously met Alex in June 2002. They asked me some questions about what I was doing during the year 2000. I became quite angry and said look, you've got all my files, and you know what I was doing in 2000 and I explained that I was not in the videos. I told them that I was working and had been at university during this period in England. They then said we don't need to ask you any more questions. I asked what was going to happen to me, whether I was going to get to see a lawyer and the other questions I had asked the Embassy guys. They told me that they couldn't answer those questions that the Embassy man should have answered those questions for me. That was the last I saw of any British officials except Martin who I saw the day before I was released. I carried on seeing James a few times before being handed over to Navy Intelligence.***

214. ***After this we were still held on Kilo building and would occasionally be brought for questioning by Navy Intelligence and a guy called Romo. I was***

asked similar questions to before and was told that basically they believed us but we were a political pawn now.

215. ***This was because some British detainees were, they said, lying, therefore we couldn't go back to England and they seemed to be playing games with us'***.

Isolation and interrogations – Asif

216. Asif says in relation to the isolation and treatment experienced following the recovery of the Bin Laden video, that '***in about March/April 2003 I was at Camp Delta. I was taken one day to interrogation and asked to perform a polygraph test. During that test I was asked questions such as had I trained in Afghanistan? Had I handled chemicals, bombs, explosives? Am I a member of Al-Qaeda? They asked the same questions on a number of occasions and I answered each question truthfully, most of the answers were 'yes' or 'no'. Immediately after the test the man who conducted the polygraph said I had failed but he would send it away for tests***.

217. ***I'd been at the doctors one day and when I returned I found that I had been moved to a different block and relegated to Level 4. Level 4 was the lowest tier. It meant that you had all your comfort items removed, ie you had no soap, toothpaste, cup, towels or blanket. You only had your clothes and had to sleep on the bare metal. You had to drink water with your hands. I had been on Level 4 on a couple of occasions before. I was left there for two weeks without any explanation and then I was taken to the isolation block. I had previously been in isolation as punishment.***

218. ***When I had been in isolation before, you would be left for maybe three or four days and the guards would have to write a sworn statement, although there was no adjudication or anything, but you were then put in isolation.***

There seemed to be two reasons why you would be placed in isolation:

1) ***for punishment and you would be informed of the reason and told that you would be spending, e.g. three days in isolation for that reason;***
2) ***the other would be for interrogation where there was no specific time limit.***

219. ***After I had been on Level 4 for about two weeks I was then taken to isolation on the instructions of intelligence officers. Shafiq has already***

described the conditions in Isolation. I was taken to the November block and found myself placed in a cell opposite Rhuhel. He had been brought to the block about the same time as me. I could see him through the glass panel and tried talking to him but soldiers became aware of this and after a couple of days I was moved to a cell further along the corridor. This cell had been occupied by a guy who had developed severe mental health problems and had smeared excrement everywhere. It was absolutely disgusting. I had no soap or anything and I was left in this cell. I could not sit anywhere. It stank. It was extremely hot. Finally different soldiers came on the night shift and they gave me some cleaning material and I scrubbed the whole place down.

220. ***After about a week I was taken to interrogation. I was taken there by guards from 9/4. These were the Rhode Island, Massachusetts Soldiers. They had a reputation for the worst violence. I remember once General Miller had to investigate them for using excessive force as they had beaten up one man who ended up as a cabbage.***

221. ***I was taken to "Res" ie Reservation, and brought into a carpeted room with swivel chairs. I was placed on a seat and long shackled and met somebody called Mr Smith. He had magazines on the table, drinks, nuts, cigarettes, crisps. I asked him why I was in isolation and he told me because I was being influenced by other detainees. He said he had some photographs he wanted me to look at. I told him that I wouldn't look at them. I was then led away. I wasn't given any of the treats that were on the table.***

222. ***After about a week I was called back to another room. On this occasion I had been having my shower, my hair was still wet, and I was taken to this other room and placed in the short shackle position. This had not happened to me before and it was extremely uncomfortable. I was then left in this room and they turned the air conditioner down to 40° Fahrenheit (there was a sign on the conditioning unit which said it should not be put below 70°). I was then left in this room in the short shackle position for about three hours. I was absolutely freezing, particularly also because my hair had still been wet from***

the shower. Then Mr Smith came into the room and said "it's nice and cold in here". He asked me if I was going to look at the photographs. He said "I can get you anything you want". He was sitting at a desk while I was in the short shackle position. He then pulled out some pornographic magazines. He showed me a photograph and said "look, you're going to see pussy again". At that I started laughing as the whole thing seemed so ridiculous. Then I swore at him and he walked out. I told him I wouldn't talk. He left me in that room for another three or four hour. I was absolutely shaking and shivering with the cold and when I was finally returned to my cell I came down with the flu. That day I had been short shackled for seven or eight hours. One of the military police told me that intelligence had said I wasn't allowed any medication.

223. ***The next day I was escorted by a Marine Captain and about 15 soldiers to Oscar block. This was also isolation. I was left in a cell there for a couple of days and then taken to interrogation. I was suffering from a temperature and felt very ill.***

224. ***This time I was short shackled again. A different interrogator who I came to know by the name of James, came in to question me. I had been left in the short shackle position for about three or four hours. It was agony because I had back problems, I was calling out in agony. James came in and said "who has authorised this?" He apologised to me and I was unshackled.***

225. ***He said to me "I am the new interrogator and I will see you in a couple of day's time." We then just chatted before I was returned to the cell.***

226. ***After three days I was taken to "the Brown building". I was long shackled and sat in a chair. I was left in aroom and strobe lighting was put on and very loud music. It was a dance version of Eminem played repeatedly again and again. I was left in the room with the strobe lighting and loud music for about an hour before I was taken back to my cell. Nobody questioned me.***

227. ***The next day I was taken back to the interrogation and this time I was short shackled and left for maybe five or six hours before returning to the cell. Again, nobody came to question me. That night I asked to see James in Reservation. He denied he knew anything about the short shackling. I told him I would co-operate. I was asked a series of questions about the photographs. He told me that the photographs were with Bin Laden. I just answered all his questions as honestly as I could. He said to me you are not being consistent. I was next taken to interrogation with a man I came to know as Drew. He was in the Criminal Intelligence Department. There were some other men present as well. He showed me photographs but I refused to look at them. They then left the room and I was short shackled for maybe about four or five hours. They came back. By that time I couldn't bear it any longer and I just said "it's me in the photograph". I didn't even look at the photographs. I was returned to my cell.***

228. ***About four days later I was taken to be interviewed by FBI. They asked me questions about what I had been doing during 2000. I gave them full details. They said that they were going to check out my story for the relevant period.***

229. ***I was then back in the isolation cell. I was brought to 'Res' at some stage and chatted with somebody from the FBI. He was trying to be friendly. He brought me magazines and I asked if there was any news. He brought some articles he had taken from the internet and read some extracts of news about myself. He said "I really like talking to you but I need some information". He said "I need some help from you, there are some evil people here, I need some information". He was obviously trying to get me to spy for him. I said I can't speak Arabic and I'm not here to spy on people. He left me in the room for maybe 12 hours long shackled. I was not given anything to eat and eventually I was just taken back to my cell.***

230. ***During the period that I was in isolation and being interrogated by James, on one occasion I saw a Military Intelligence officer called OJ who asked me "have you ever been to New York?" I asked him what sort of question was***

that. He threatened to beat me up. He said "I am not like the other interrogators; if I want I'll beat you up". He was a very large guy, quite intimidating. He said to me "just answer the questions". I later found out that this man was in charge of Feroz Abbasi's case. I think his first name is Oscar.

231. ***I remained in isolation for a further two or three months but I was not really interrogated again, or at least not seriously, after I had admitted to being present in the photographs. Perhaps after about a month Rhuhel was moved into the cell in front of me and we were allowed to talk and call to each other. I think after I'd made the admissions they wanted they weren't really interested in me.***

232. ***The conditions in isolation were very hard. The cells were made of metal. They were extremely hot. The air conditioning was broken and hot air would come out. Sometimes the soldiers would put it on really hot. You had to sleep on a metal bunk. In the first few weeks I was given nothing, not a mattress or a blanket and I was denied all comfort items. I couldn't talk to anyone. The only thing I was given was my Koran. I sort of learned a way of dealing with it and tried not to let the isolation bother me. It was impossible to know what time it was. In fact throughout this time (in fact throughout the time that I was in Guantanamo) I had no concept of the time or date. We were not allowed to know what day it was and nobody was allowed to wear watches. The guards were told not to let us see their watches (though sometimes they forgot). They certainly never told us what time it was. They stopped doing the call for prayers after about a year. (In the first year it was on sometimes and not others.) It stopped after General Miller came.***

Isolation (Asif continued)

233. ***"Amongst the effects of isolation was that over a period of time it was certainly draining. You would get worn out from it. If you were already depressed it makes you more depressed because you keep thinking repetitively about the same thing and there's no one there to comfort you or distract you. Sometimes you welcome interrogation when you've been in isolation because there is someone to talk to and it's a release and no doubt that's what interrogators are counting on when they keep you there. The isolation blocks were it seemed to us, deliberately kept in as depressing a state as possible. The other blocks, they had to redo from time to time because the salt from the sea air corroded everything. With the isolation blocks it was all peeling paint and everything rusting. Even though things were modified or renovated, it wasn't painted. (While we were in Guantanamo in fact there were three renovations, showing the rate at which structures would deteriorate there.)***

234. ***After about three months in isolation we were all brought out and moved to Kilo block. This was a normal block that was also run by Intel as opposed to the Army. The three of us were placed in this block and we were no longer in isolation, we were allowed to talk to each other.***

235. ***I was taken to interrogation and asked to do a voice stress analyzer. This is apparently another way of testing whether you are telling lies. A microphone was attached to my throat and I was asked a series of questions including "are you in the photos". I said "No". "Have you ever met Osama Bin Laden". I said "No". I was told that I had failed on these two questions. He asked me the same questions again and I answered "Yes" and he said I was telling the truth***.

236. ***During one of the sessions after this when I was being questioned by James and he was asking about my movements in the UK, I said "I can't wait***

until I go to the tribunal because I want to make you guys look stupid". He said "what do you mean?" I told him that during the relevant period that I was supposed to be in the photograph with Osama Bin Laden, I had been in trouble with the police in England. I said I could get ten policemen who could be witnesses, if necessary. I told him that I had court records. I had a solid alibi which they wouldn't have been able to deny.

237. ***About four days later I was brought back and somebody read to me a letter which came from Britain. The letter basically proved that I was in England at the relevant time, although it said at the end that you should take into account that he may have traveled on a forged passport.***

238. ***During the last six weeks or so of my time on Guantanamo Bay I remained in Kilo block and they started to treat me a lot better. Myself, Shafiq and Rhuhel would be taken to a place known as "the love shack" in the Brown building. This would be every Sunday where we would get to watch DVDs, eat McDonalds, eat Pizza Hut and basically chill out. We were not shackled in this area. The first three times or so Romo was present and then we were handed over to FBI, a woman called Lesley and she was the one that really treated us well and gave us treats and food. We had no idea why they were being like that to us. The rest of the week we were back in the cages as usual, but it was nice to have that period. I think we were the only three that were treated in this way. On one occasion Lesley brought Pringles, ice cream and chocolates, this was the final Sunday before we came back to England. Lesley told us that we would be leaving next week to go back to England***.

239. ***About 5 days before we were due to return the five of us, me, Shafiq and Rhuhel and two other Brits, Jamal and Tarek were all taken to isolation to be kept apart from the other detainees. We weren't denied our comforts apart from Tarek who was on Level 4.***

Isolation and Treatment – Rhuhel

240. In relation to the treatment and isolation experienced following the 'discovery' of the Bin Laden video, Rhuhel says that '***I was in my cage in a separate block to the others and an interrogator called Sarah took me to interrogation. I was in interrogation for about 8 hours. She went though my whole story again. Then she says I will assess your paperwork as this was part of a tier three interview, meaning if I passed I would move to the next stage. She also recorded my voice at that time. At the end of the interview she asked what I wore in Afghanistan. I said I took an Adidas tracksuit. She then pulled out a photo which looked like a still from a video and there was someone circled in it. She said who's this? It was someone in an Adidas top but it was not me. She said 'you are lying the person in the picture is you.' She pointed to another man next to the guy in the Adidas top and said this is your friend Asif. This went on for another 2 hours. By now I had been in interrogation for 11 hours. I was then taken back to my cage. The next day I was transferred to isolation. I remained there for three months.***

241. ***I was interviewed every 3 or 4 days. The routine would be I was taken, short shackled and the air conditioner would be turned up to make the room freezing. The longest time I was short shackled was for about 6 or 7 hours. After about one month I was seen by someone we called 'Steve Smith'. He used to be my previous interrogator before Sarah. He pulled out photos from the video and said I had been lying to him. He said 'we know it's you – admit it!'. I said it's not me and kept insisting on this. He kept me there for 7 hours. Then I was not interrogated for ages until I saw James. He had a reputation as a torturer. His office was the Brown building. He took me in and showed me the photos again and insisted that I was in them. I was taken back to my cell, but then a few days later we were all three moved to an Intel block. A week after the move I did a stress analyzer test. He told me I had failed and that I was lying. He then showed me the date of the photos which was '1.8.2000'. I did not know whether this was the American dating system which would make***

it 8th January 2000 or the English system which would make it 1 August 2000. On both dates I was England and I told him to get my police, community service and probation records. He said he would check with MI5 who would look into it. Despite this on other occasions, after I had left isolation I would be taken to interrogation, short shackled and left in a room with very loud heavy metal music and sometimes Eminem. This would usually last for 4 or 5 hours. The interrogator would never come. After about three weeks I saw James and asked him about this but he denied it saying it was nothing to do with him. He then told us he would transfer us to Romo and the Navy Intel guy. Before I saw Romo, I saw Lucy and Alex from MI5 who asked about where I was at the time of the photos. I believe they had the photos with them and were just confirming things. The next day I saw Martin from the Foreign Office who just asked how I was. He showed me two letters but I never received them. After this we were dealt with by Romo and I was not short shackled after that point. He was trying to be nice and took all three of us to watch a movie. At my next interrogation with him he pulled out the photos and said 'admit it is you, be a man about it'. I got pissed off and said "yeah it's me. What are you going to do about it?" He said "it doesn't matter if it is you, just admit it." About a week after this I had my polygraph test.

242. ***I went into the room and there were two women from the FBI. I took about 4 tests and the woman says you failed all four and then said admit it is you. I said if you think it is me then it's me. She took me to another room and left me in the cold without food for hours. She then took me back into the original room but this time I wouldn't talk to her. She got her colleague, a male, to come and talk to me but we ended up arguing and swearing at each other. He then calmed down but said he would send me to isolation. I told him, I did not care. I told him Romo had already said the whole thing had been a big mistake and the Army had 'fucked up'. I think he contacted Romo whilst I was still in the room. That's why instead of sending me to isolation he sent me back to the block with Asif and Shafiq. A few weeks later I got a new interrogator called Leslie. She was an FBI agent.***

243. ***She hardly ever interviewed me and she eventually said that we would probably be going home. She arranged for us to see movies on Sunday. This was because they knew they had messed us about and tortured us for two and half years and they hoped we would forget it.***

244. ***Before we left five of us British detainees were taken to isolation***.

Returning to England (Asif)

245. In relation to their return to the UK Asif says, '***on Sunday 7th March I was taken to see the Red Cross in Juliet building. This was just a formality for them to check how I was before returning back to England. After that I was taken to see some military officials who asked me to sign a piece of paper. I don't remember exactly what the piece of paper said but it was along the lines that I was a member of the Taliban and Al-Qaeda, however I have since changed**. **In other words I had changed my mind since I was detained at Guantanamo Bay. It went on to say that if I was suspected of anything at any time by the United States, I could be picked up and returned to Guantanamo Bay. Whilst I was shown this piece of paper I was also being photographed and filmed on video camera. I said that I would not sign it. An officer said to me if you don't sign it you're not going home. I didn't really believe him'***.

246. The men had known from at least four weeks earlier, having heard from the military police and others that it was all over and that they would be returning to England fairly soon. All three say this was the main reason they were not intimidated by the demands to sign the document described by Asif. Asif goes on to say that '***I was brought back from my cell a few hours later and this time I sat down and again more photographs were taken and film was taken and again this same document was read to me and I was asked to sign. I refused again. The woman who was dealing with me at that point asked if I agreed with the statement and I said no'***.

247. One morning all five British detainees scheduled for return were taken from their cells. Asif explains that they were to be taken for interrogation. They initially refused to go or be shackled. As Asif explains '***I was told that I had to have my beard shaved off and if I refused they would use force, in other words they would get the ERF team. When I refused the sergeant in charge said that I would definitely "get ERFed". I said "we'll see". However the captain in charge came in and said they are going home anyway so what's the point of shaving their***

beards off. Despite this some of the Army personnel working in the block were telling us that we weren't going home that we were going to spend the rest of our lives in prison'.

248. That evening all five detainees were (separately) brought before the British Embassy representative, Martin, and a police officer from the UK who read through a document saying that he had a right to handcuff them and to use reasonable force to move them. They were then each told that they would be returning to the UK the next day.

249. The next day they were collected and transported to a plane that was waiting for them. Despite protests from the Americans they were not hand cuffed and they were flown back to the UK where they were arrested

Contact with the outside world

250. Shafiq says, '***When we were in Afghanistan and captured, first by the Northern Alliance and then the Americans, we did not have any contact with our families or anyone in England. We were not allowed to write and we did not receive any correspondence. When we first arrived in Guantanamo Bay on the first day after the shackles were removed after the horrendous journey, we were told to write a letter. All I remember writing was that I was in American custody. I could hardly write because my hands were so numb from having been restrained in tight shackles for such a long period of time and when I was asked to write my hands were still cuffed together. I don't know whether those letters were ever sent.***

251. ***About two weeks after we had first arrived and were in Camp X-Ray the Army came round with a piece of paper for each of us so that we could write home to our family. I wrote home at that time. I didn't hear anything from home until around about the end of February 2002 when MI5 came to see us. This was the second occasion when they came and they produced letters from home. I was given a letter from my brother. I think he had received my letter. After that we might get a letter perhaps once every two to three months. We continued to write letters until around about August 2003 when suddenly they stopped giving us any letters they may have received from home. For about 6 or 7 months I had no communication at all from my family'***. Nor, all three men discovered later, had their families received any communications from them for a similar time.

Legal advice

252. Shafiq states that the question of their legal rights was very much on all the detainees' minds. He goes on to say, '***we were never given access to legal advice. I asked at various points but they just said that this is not America this is Cuba and you have no rights here. Around about August 2003 I spoke to a guard who told me that he'd seen my name on the internet and that I was represented by a lawyer, Gareth Peirce in England. I never heard anything at all from the interrogators, the Embassy or the Red Cross about the fact that a case was being brought on my behalf through the US courts and was on its way to the US Supreme Court. I only found out about that when I got back to England***. ***When we asked the interrogators and the Embassy and MI5 more about what the guard had said about a legal case they said they knew nothing.'***

253. They were intended to be kept without hope and starved of information. Asif says that in about January or February 2004 he had a conversation with a military guard who told him that he was going to go home. He goes on to say that '***the guard who was moving me (I was shackled and being brought to Reservation) said "It's true, you've probably heard it loads of times before, but this time it's true". He told me that the US can't fight my case, they will lose, and it will cost them too much money so they are going to send me home anyway.***

254. ***The guards never spoke to us when we were on the block but individual guards on rare occasions passed on information when they were escorting us.***

255. ***About three or four weeks before we left, perhaps around the end of February 2004, we saw the Red Cross and they said to us that "something's happening, but they are not sure exactly what" and they can't tell us until it's confirmed. Then a week later they told us that Jack Straw had made a speech in which he'd mentioned the five of our names and that we would be released***'.

Red Cross

256. The International Red Cross used to visit the detainees from time to time to inspect the camps and the conditions they were being held in. The men would see them wandering around the blocks and occasionally they would call to see detainees. Shafiq says that '***the guards would bring us one by one to see them. We complained about the conditions and the Red Cross said that the Army were not following all the guidelines. They were concerned about whether or not complaints should be made or the matter taken to court because it would mean that individuals would be completely cut off from contact with the family as the Red Cross was the only means for contact***'."

Embassy visits

257. The officials from the British Embassy would always come together with officers from MI5. All three believe they saw somebody from the Embassy on about six separate occasions. They would ask if they had any problems but all three men got the impression that the officials didn't seem interested at all. Only Asif reports that on one occasion an official wrote down his list of complaints but the only changes came about as a result of the hunger strike by the prisoners themselves. Shafiq says that on one occasion the Foreign Office was due to come but he was told their plane hadn't got to the island. When they came the next day it seems they'd come with the MI5 officer who had arrived to interrogate them. When Shafiq asked the Foreign Office official what was going on he said ask MI5. When he asked MI5 they said ask the Foreign Office. The Foreign Office official asked him questions about his welfare. Nobody explained why he was there. Asif also reports that on more than one occasion the British Embassy officials acted as a third interrogator asking questions that had nothing to do with their welfare but were of interest to the interrogators. None of the men felt they could trust or rely upon the Embassy officials.

258. Shafiq believes he was interrogated by British personnel on about 6 or 7 occasions. Despite asking on many occasions he was never allowed access to lawyers. They were allowed to write home but they believe most of the letters were never sent out and they received few from their families. When they flew back to London, the Foreign Office man whom they knew as 'Martin' was present on the flight. He told them to '***make sure you say you were treated properly'***.

259. All three men believe that the Foreign Office and MI5 were always in total co-operation with the Americans. When they asked about going home, the Americans would say "***when the British want you home you can go home***". But the British would say "***we can't do anything because you are in US custody***". When any of them complained about the treatment in Guantanamo Bay, about the food and

general conditions, the Foreign Office would always say there is nothing we can do. They seemed to try and make a joke of it.

260. Shafiq also adds, '***I would mention other problems. These included the lack of any proper medical treatment, for example with my knees and my back pain. We suffered sleep deprivation and did not get enough food. The water was undrinkable and they disrespected our religion and the Koran. I raised all these with the Embassy officials, sometimes they made brief notes, but didn't really comment on them and nothing changed. We asked about legal representation but on each occasion they would just say 'we don't know about that'. My impression was that they were told by the American authorities that they could not tell us anything. I also thought it was fairly certain that they had been briefed on everything that was going on, our treatment, conditions of detention, what came up in the various interrogations as well as our behaviour since they last visited. I am sure that they were aware of the abuses for example the short shackling. They certainly knew that we were in isolation for three months***'.

MI5

261. ***"From approximately July 2002 MI5 officers interrogated us without American interrogators or guards present in the room. We were in exactly the same physical circumstances of interrogation as when the Americans interrogated us, sitting on a plastic chair shackled to the floor. We complained to MI5 as well as the Foreign Office about all the things that were being done to us in Guantanamo Bay. You couldn't tell the difference between the MI5 and the Foreign Office. Neither was interested in us other than to get information we didn't have. The last three interrogations Asif did not talk to them at all. When we saw the Foreign Office we were chained in exactly the same way as when we were being interrogated."***

262. ***"Both MI5 and the Foreign Office wrote down on different occasions long lists of all of our complaints. We all made complaints. We understand that claims are now being made that we did not make complaints of at least some of the things that happened to us. We complained about everything that was being done to us and notes were made. We cannot believe how it can now be being said that we did not complain. After the guards had told us that they had seen on the news that we had a case happening on the outside we asked the Foreign Office and MI5 and our American interrogators about it and they all said they knew nothing. They didn't bring us news."***

263. ***"Primarily MI5 were interested in getting from us information about people in England and the British detainees who were in Cuba but we didn't have any to give them. They also wanted us to get information out of other British detainees."***

Re British interrogators

264. **"*We know that the British asked questions not just of British detainees but certainly of French, Belgian, Danish, Swedish, Bosnian, Algerian and some Arabs, Libyans, anyone they thought had either been in Britain or had information about people in Britain*."**

Suicides

265. While they were in Guantanamo Bay a large number of people tried to commit suicide. In addition, of those a number tried to commit suicide repeatedly. The attempts undoubtedly go into several hundred altogether, at least. (Asif recollects the first instance of which he was aware was in Camp X-Ray. The first time Asif saw it was during the day time. ***"Someone from Saudi Arabia just suddenly made a noose and hanged himself in front of me. I and everyone else shouted and in fact the guards came and he did not die."***

266. ***"We were told by soldiers what happened to one detainee where we were not present. Someone called Michal from Saudi Arabia who we understand hung himself. His oxygen was cut off and he passed out. The guards took him down but then beat him up and now he is basically a cabbage. He is apparently slowly recovering. For a while someone had to feed him but we understood now he can eat by himself. We understand that he was in intensive care for over a year. He never went back to the block again. As well as being in intensive care he is apparently shackled to the bed by hand and foot. The guards told us and Rhuhel saw him when he was in hospital seeing a dentist. (This happened shortly prior to coming home – four days before because we were coming home and they wanted to show we were being treated decently. Rhuhel had been in pain for over a year and had been asking to see a dentist for over a year.)"***

Medical care

267. They describe a very high percentage of detainees there are now on antidepressants/Prozac and would say at least a hundred detainees have become observably mentally ill as opposed to just depressed. ***"For at least 50 of those so far as we are aware their behaviour is so disturbed as to show that they are no longer capable of rational thought or behaviour. We do not describe in detail here the behaviour but it is something that only a small child or an animal might behave like. All of those who have become seriously mentally affected seem to be kept in Delta block."*** Asif describes how the first time he walked past Delta block on the way to interrogation he could hear strange inhuman noises. ***"The military police told us that they liked working in Delta block because it was 'easy work'. On Delta block they would have 16 people working as opposed to four. Four of them would be medics, so you have very little work to do. Each guard was watching about five people. They seemed to take a malicious pleasure in describing the disturbed behaviour that they were watching. They said that they were playing music for them like drums and that pornographic pictures were put outside."***

268. ***"These people were obviously seriously ill and yet we understand they still get interrogated and if they say someone is from Al-Qaeda then that information is used. Military police told us this. We did not get the impression that what they were telling us they were making up for any purpose. The guards who were telling us this were telling us it with amusement and suggesting that they were getting information from people and that they were doing basically the job they were meant to be doing, i.e. the mission was successful."***

269. ***"The last year we were there, on Christmas Day the guards came through our cages with batons banging on the cages with dogs. The year before on Christmas Day they had taken everyone's sheets away apparently a rumour having been spread which was completely untrue that everyone in the camp***

was going to hang themselves. Dogs would be patrolling in the camp, around the camp all the time but would be brought in about three times a day to cages, into the blocks. They were Alsatians and the guards ordered them to bark. Dogs were not used as directly as they were in Kandahar to intimidate but we knew of instances where people had been bitten in Guantanamo by dogs and there was always that fear that the dog would be let into your cell."

270. On one occasion this happened to Asif where as the dog went through the block someone said 'Meow' and Asif got the blame and was intimidated by the guard who came into his cell and brought the dog in.

271. There were aware of one man, Abdul Rahman Madini, a Saudi Arabian, where a dog was brought in to bark at him throughout his interrogation. Another man, Moussa Madini got bitten in his cell in isolation by a dog very badly, taking, they understood a big chunk of his leg out, the muscle part of his calf. They understood he was in hospital after that and then taken to Camp Echo. He was very mentally affected and for instance, he would hardly eat. (Rhuhel used to be next to him. Shafiq also saw him. He was extremely skinny and could eat very little. He would be pacing around his cell really fast for hours. It would consist of stepping back and stepping forward because there was no space at all. This is a recurrent theme in the camp, that there are so many people seriously depressed and as a result they don't eat.) (The names referred to are familial names, as is customary.)

272. They noticed that detainees who had either visited America or lived in America for any length of time were given a particularly rough time. They were all being accused of being Al-Qaeda cells. These were men from Saudi Arabia, Kuwait, Bahrain. These were people who had been, most of them, students. One man, Jarullah, whose sister-in-law is in America and is American, was told that his sister-in-law would be treated very badly in America and that she would be imprisoned. They understood that he was told that she was already in prison in America and that bad things were being done to her. They were interrogated more than anyone. Arab nationals also had a particularly hard time. There were on the other hand Afghanis

and Pakistanis, mostly Afghanis, who were simply not interrogated for a very, very long time. They were just there without any reason for keeping them there.

Re psychiatrists

273. **"*We are aware that there were a large number of psychiatrists at Guantanamo Bay although we think they were not all qualified but many trainees there. The whole camp was aware that one detainee had fallen in love with a psychiatrist and cut her name in his arm. Her name was Fleur. She was specialist E4. We heard that perhaps she was disturbed as well and was said to have behaved most inappropriately with that detainee and that she was removed to outside the wires."***

274. ***"One psychiatrist there was good. He was a captain, actually a doctor. He used to worry about people. You could tell from his face."*** When Rhuhel and Asif complained about losing weight drastically he prescribed Ensure and MREs (prepacked meals) for them. Shafiq says ***"we used to tell him about other detainees who had problems and he would try to help. When he came on the block he would come to us three first and ask us about other people. He was unusual. The others would largely come to the block and ask us questions like 'do you want to kill yourself? Do you have any desire to kill American soldiers? Or cellmates/inmates?' If you answered 'no' to those questions then they'd say 'you're okay'. The psychiatrist that we thought was good would come onto the block with translators in Urdu, Arabic, Pashtu, Farsi and would try to understand people's problems. The others would come without translators and then disappear for five or six days before a translator would come back with them. He was unusual in that he was not prescribing Prozac across the board like the others were. He'd look at your problem, like 'you've got no one to talk to' and try to put you with someone. There was of course only a limited amount that he could do."***

275. ***"We didn't know the name of the good psychiatrist. They had to cover their names with black tape. The names that we know were because at the beginning they didn't have to cover up their names. We were told by soldiers that the soldiers were told that they had to cover up their names because***

when the detainees were released they would go home and then come back to America and kill them. There were some who thought that they shouldn't cover their names and their attitude was 'why should we?' but they were ordered to."

Shafiq – medical problems/injuries

276. In relation to the medical facilities at the camp Shafiq adds that '***whilst I was in Kandahar I started experiencing some problems with my knees. These became a lot worse when I arrived at Camp X-Ray. I think the problem was aggravated a lot by the position I was made to sit in for so long on the plane journey. Throughout the time I was at Guantanamo and still today I have quite a lot of pain in my knees. I experience pain when I'm walking or when I kneel to pray. When I was at Guantanamo I asked for medical treatment. Often when you asked a corps man for a doctor no-one would come. Occasionally when a doctor was doing a round I would see him and explain my problems. Sometimes the doctor would give me some painkillers. I was always given them when I hadn't had anything to eat so the tablets caused severe stomach ache as the pain killers were obviously really strong.***

277. ***I also had similar problems with my back. That seemed to start from when I was in Camp Delta sleeping on metal bunks and when I was made to squat, or sit, in really awkward positions. It was made much worse by the short shackling. I still have back pain in my lower back. I have been to my GP who can see there is a problem and has given me some medication.***

278. ***The other injuries I have were from when I was handcuffed in Kandahar and when I was on the plane. I got very bad cuts on my ankles and wrists from the tightness of the cuffs. When we were taken off the plane they were pushing us about and kicking us so I sustained bruising***'.

Rhuhel – medical problems/injuries

279. Rhuhel in particular has suffered irreversible damage to his eyes. He suffers from a condition where the cornea of his eye is misshaping (into a shape like a rugby ball). The condition is controllable by a gas permeable contact lens which is what he had before he was detained. Throughout the time he was at Guantanamo he was urgently asking for lenses and the solution to go with them. His family wrote to him that they had sent lenses for him. No one ever told him they had come. There was some contact between the American authorities and Rhuhel's specialist in England but still no lenses were ever provided. Every time he asked his interrogators they would say ***"it's not a holiday camp"***. About a week before he left some more lenses were produced but again with no correct solution. Since he has seen his specialist and he has had it confirmed what he was of course aware of himself, that his eyesight has drastically deteriorated as a result of the lack of any medical attention at all. Rhuhel and Asif are also suffering from pain in their knees and lower back pain for the same reasons as explained by Shafiq.

Military personnel

280. One unit of guards came from Puerto Rican Infantry. They treated the detainees like human beings. They were noticeably pleasanter than other units that were based there. ***"They did their job professionally, ie treating us like human beings. They were taken off duty. They told us that they were in trouble because they were treating us well. They told us that they knew what was right and what was wrong but that they got into trouble for doing what was right. They were blamed, we understood, for all the problems in the camp. To our knowledge it was not they who made problems. There were two units of Puerto Ricans. We are aware that the first unit got sent to Iraq and the second unit we believe also after it returned to America got sent to Iraq. The second group of Puerto Rican soldiers was in fact split up into different units so that they didn't work as one unit. There was also a unit from the Virgin Islands who were treated in a similar way. It was very clear to us that there was discrimination and racism. The soldiers themselves used to tell us about the racism and the discrimination they suffered."***

The state of some other prisoners

281. A few prisoners only are mentioned here.

1. Jamil el-Banna and Bisher al-Rawi

282. Asif says he was in Mike block in Camp Delta next to Suwad Al Madini (a Saudi national whose wife is British and whose children are British, also known as Shakir …). He recollects, "***A large number of the men were brought into the block from isolation. I believe they came in February 2003 having spent a month in isolation in Guantanamo Bay after they arrived. Abu Ennis, Jamil el-Banna, was put in the cell next to me. Given that he had been in isolation for a month and before that in Bagram Airbase (and before that I understood in Gambia), he was still coping but quite soon after he began to deteriorate. I didn't talk to him much about the Gambia but knew he'd gone there to set up a business. He said that Bagram was very rough. When he arrived at Guantanamo he had very little facial or head hair which he said had all been shaved off in Bagram Airbase. He said that he had been forced to walk around naked, coming and going from the showers, having to parade past American soldiers or guards including women who would laugh at everyone who was put in the same position. When he arrived at Guantanamo his English was not good and still is not good. Bisher al-Rawi was placed on the same row of cells and he used to translate for him. El-Banna was in constant pain from his joints because he suffered from rheumatism and he was diabetic. He told them repeatedly that he was diabetic and they would not believe him***."

283. "***They used to come and take his blood and say that there was nothing wrong with him. Bisher al-Rawi also told them that el-Banna was not well. When you come new they come and take your blood***." (Shafiq recollects that they were told by the guards and by the medical officers who were military, that costs were being cut in respect of food and medicine. They said that the cost of the military personnel was going up and that meant that they had to cut costs in other ways which included food for the prisoners and medical care for the prisoners.

284. “***It was very noticeable by the time we left that the quality of food and the amount of food had gone down. The food had been particularly bad at the beginning. It had improved slightly during the time we were there, but used to noticeably improve just before there was a visit from the Foreign Office***.”

285. (During the first Ramadan Asif recollects they were fasting, obviously. However they would only be provided with two meals a day and those were drastically reduced amounts like four teaspoonfuls of rice. “***We were under the firm impression during the first Ramadan that it was part of a policy to stop us fasting and to cause us to abandon our religious practices. When Ramadan finished the food went back up to normal levels and therefore it was very obvious that it was designed to put pressure on us to stop fasting, which also the doctors and the guards were telling us to stop. The guards served us the food who had been told (they told us this) that they were under orders to give us that much food from their superior officers. When we asked after Ramadan why we were back to normal sized rations we were told that the General had ordered that now*.”**)

286. **“*It was very clear that el-Banna was devoted to his family. He had photographs of his children including his new daughter. These had come in through the Red Cross. I can recollect one day when the interrogator came to visit him in the block. When she visited him in the block he showed her the pictures of his children and started crying and she said to him we’re trying to get you out of here (this was an American interrogator), we know you’re an innocent man. I could see as the months went by*,”** says Asif, **“*that he was worrying more and more and that this was having an effect on his mental health. He constantly talked about his children and who would look after them*.”** (Asif and Shafiq both comment that the repeated questions for Jamil el-Banna whom they questioned less than they questioned Bisher al-Rawi, concerned Abu Qatada and where he was. In the light of the fact that Abu Qatada is known to have been arrested in England in late 2002, it seems extraordinary that this was a question that the Americans were asking.)

287. Shafiq says that to his knowledge during the time that el-Banna was in Guantanamo he lost about 40 kilos in weight. He started off as someone quite bulky and became someone very, very thin. Asif is aware that el-Banna found it almost impossible to eat the food that was provided. What was provided was a meal packet. ***"The meal packets were what we could eat. We were told they cost $7 each and consisted of a main meal, pasta and Alfredo sauce, pasta and vegetables in tomato sauce, black bean burrito, cheese tortellini. The soldiers said that they were inedible, that they wouldn't eat them, but to us they were much much better than what we had before. There were more calories in them and they were more filling. They weren't nice but we felt fuller. Some of these packages were marked to show they were over 12 years old. But then they stopped them around July 2003 and we were told by the guards that they cost too much. (However, a brand new cafeteria was built for the guards. At that point we were told that they had ice cream added to their menu.) el-Banna could manage to eat the packaged meals (called MRE), but he couldn't eat anything else. When they stopped giving those el-Banna couldn't manage to eat anything else. He told the doctors but the General said no one could have these prepackaged meals anymore and he couldn't eat what was on offer. We're completely sure that for the three weeks before we left he wasn't able to eat at all. Eventually we are aware that they put Bisher al-Rawi next to him (they had been separated) to try to keep him going mentally and physically. We would say that mentally basically he's finished. The last thing we heard about him this year before we came back to England was that when he went to interrogation they told him that he was going to be sent back to Jordan and he was extremely scared of that prospect. We knew that he'd been living in England for about ten years and was a refugee and that his whole life was in England and his wife and children. They were clearly the centre of his whole existence and all he ever really thought about. The prospect of being sent to Jordan meant to him the end of his life. He knew that he would be tortured or killed there."***

2. Re Bisher al-Rawi

288. Asif and Shafiq both remember that he was taken for a lie detector test about two weeks after he arrived from isolation in Guantanamo Bay (about six weeks after he got to Cuba), and was told that he'd passed it. He was put up to Level 1, the highest level (when Shafiq was there) but then "***for reasons we don't know and after he'd passed his lie detector test we suddenly heard that he was in isolation and the 'privileges' that he'd been given like magazines were taken away as was everything else. We asked him later on when we saw him why he'd been put in isolation and he had no idea. They kept saying to him that he knew more than he was saying.***

289. ***Bisher al-Rawi had an armband on saying 'Iraq' and Jamil el-Banna had an armband on saying 'Jordan', even though both of them lived in England.***

290. ***When Bisher was put in isolation they shaved his head and beard. We know that Bisher was interrogated probably more than 50 times (unlike el-Banna who was probably not interrogated more than about five times). We don't know the exact reasons why Bisher al-Rawi's hair and beard were shaved off but we know that what used to happen to others would be that if you said you didn't want to go to interrogation you would be forcibly taken out of the cell by the ERF team. You would be pepper-sprayed in the face which would knock you to the floor as you couldn't breathe or see and your eyes would be subject to burning pain. Five of them would come in with a shield and smack you and knock you down and jump on you, hold you down and put the chains on you. And then you would be taken outside where there would already be a person with clippers who would forcibly shave your hair and beard. Interrogators gave the order for that to be done; the only way in which this would be triggered would be if you were in some way resisting interrogation, in some way showing that you didn't want to be interrogated. Or if during interrogation you were non-cooperative then it could happen as well.***

291. ***(It was our view that they were looking for vulnerabilities all the time and that the people who seemed most comfortable having a beard or most used to***

it, those were the ones that they would shave it off. We think with the three of us that they thought we would not be so affected if it happened to us. They would watch how you wash, how you eat, how you pray and the guards would talk to you and perhaps because we sounded more like the guards themselves and western that they did not think that we had those same vulnerabilities. They undoubtedly thought we had vulnerabilities, but different ones such as liking to talk to people, not liking to be alone, etc., and those were the ones they focused on with us.)

292. ***According to Bisher they seemed obsessed with what he was doing in Gambia and who sent him there and where he got the money from to go and to finance their business project. They were still asking him about a battery charger that he had in his possession in his baggage on the plane. The Americans were asking him about that.***

3. Moazzam Begg

293. ***Moazzam Begg we never saw. We only heard about him, particularly from Saad Al Madini, who was a Pakistani brought up in Saudi Arabia. He had been in Bagram Airbase with Moazzam Begg and he had himself been taken from Bagram Airbase. He had been we think handed over by Indonesia to the Americans, kept in Bagram Airbase, taken from Bagram Airbase to Egypt where he had been tortured and then taken back to Bagram and then to Guantanamo.***

294. ***While we never saw Moazzam Begg, we did talk to guards who had had contact with him and they told us that he had been in isolation all the time he was there and had only seen them and no one else. Four guards told us that he was in a very bad way. In addition, he was in Bagram for a year and no one that we know of had ever been there for a year and must be in a worse state coming out of it. People coming from there used to tell us that there was a British guy imprisoned there and that must have been Moazzam Begg.***

295. ***We don't know but have the impression that he may have had 'admissions' forced out of him at Bagram which he did not want to continue when he got to Guantanamo Bay and the authorities kept him in isolation to stop him being able to go back on what he may have said or to have the chance of getting any support from anyone else that might cause him to resist what they wanted. We believe that he was in isolation in Camp Delta and then in isolation in Camp Echo. The impression we have is that the point of keeping people in complete isolation in Camp Echo was so that they would in every way be under the control of the people who held them there. They would have no other information than what they were given by the guards or the interrogators and would be obliged to put all their trust in what they said and would know nothing whatsoever about what was happening in the outside world or even in Guantanamo Bay. The guards were especially picked to go to Echo. We talked to people who had come back from Camp Echo.***

4. Mamdouh Habib

296. ***One was Mamdouh Habib, who was the Australian. He said that there was no natural light at all there. Even when you went to the shower, which was 'outside', it was still sealed off so you couldn't see any natural light at all. You couldn't tell what time of day or night it was. You were in a room and a guard was sitting outside watching you 24 hours a day. That was his job, just to sit outside the cell and watch you.***

297. ***Habib himself was in catastrophic shape, mental and physical. As a result of his having been tortured in Egypt where he was taken from Bagram and then brought back, he used to bleed from his nose, mouth and ears when he was asleep. We would say he was about 40 years of age. He got no medical attention for this. We used to hear him ask but his interrogator said that he shouldn't have any. The medics would come and see him and then after he'd asked for medical help they would come back and say if you cooperate with your interrogators then we can do something.*** (Shafiq says ***"Habib told me this and I have also heard them say it to other detainees as well".***) Asif recollects

that ***"another man who'd been taken to Egypt and tortured there, Saad Al Madini, was also refused medical assistance for the same reason. We know from Al Madini that he had had electrodes put on his knees and that something had happened to his knees and something had happened to his bladder and he had problems going to the toilet. He told us that when he was in interrogation he was told by the interrogators that if he cooperated he would be first in line for medical treatment.***

5. Omar Khadr

298. Rhuhel recollects ***"the same thing also, we are aware, happened to a young Canadian man, Omar Khadr, who was aged 17 when we left. He had been shot three times at point blank range and his lung punctured and had shrapnel in one eye and a cataract in the other. They would not operate on him. He was told that was because he would not cooperate. We were told one time when he was in isolation he was on the floor very badly ill. The guards called the medics and they said they couldn't see him because the interrogators had refused to let them. We don't know what happened to him (he had had some sort of operation when he was still in Afghanistan but he was in constant pain in Guantanamo and still undoubtedly is and they would not give him pain killers."*** (He was one door from Rhuhel in the same block and all three used to talk to him.)

6. Mohamed Rajab

299. ***One man, a Yemeni, Mohamed Rajab, was in a particularly bad state. Every two hours he would get moved from cell to cell, 24 hours a day, seven days a week, sometimes cell to cell, sometimes block to block, over a period of eight months. He was deprived of sleep because of this and he was also deprived of medical attention. He'd lost a lot of weight. We were aware that he had a painful medical problem, haemorrhoids, and that treatment was refused unless he cooperated. He said he would cooperate and had an operation. However, the operation was not performed correctly and he still had problems. He would not cooperate. We were aware that shortly before we***

came back to England he was put into Romeo block where you were stripped naked. We would see people go and come from Romeo. When they went they would go fully clothed. When they came back they would only have shorts on. They told us that they would have all their clothes taken off in the cell. The Red Cross is aware of this. If the interrogators after that thought you should be allowed clothes, then you were allowed them. This appeared to be an open-ended process depending on the interrogation and the interrogators. The people we know who went to that block were not people who caused problems or were disruptive. The whole application of these measures was entirely to do with interrogators and whether they thought they were getting out of them what they could and should get out of them. All the Bosnians were there for instance.

7. Algerian detainees kidnapped in Bosnia

300. ***"By Bosnians we mean six Algerians who were unlawfully taken from Bosnia to Guantanamo Bay. They told us how they had won their Court case in Bosnia. As they walked out of Court, Americans were there and grabbed them and took them to Camp X-Ray, January 20, 2002. They arrived five days after us. They were treated particularly badly. They were moved every two hours. They were kept naked in their cells. They were taken to interrogation for hours on end. They were short shackled for sometimes days on end. They were deprived of their sleep. They never got letters, nor books, nor reading materials. The Bosnians had the same interrogators for a while as we did and so we knew the names which were the same as ours and they were given a very hard time by those. They told us that the interrogators said if they didn't cooperate that they could ensure that something would happen to their families in Algeria and in Bosnia. They had dual nationality. They had families in Bosnia as well as in Algeria.***

301. ***(From what we could see interrogators used to prey on particular groups of nationality so that Europeans would have the same interrogators, North Africans would have the same, etc.). One of the methods of interrogation was***

to say that someone in Cuba had told them that we were in a particular place, for instance, the video we've described and training camps in Kandahar. When we asked who it was, they would not tell us."

302. (On one occasion Asif was told who had implicated him because he was shown the photograph of a particular detainee in Guantanamo and told that that man had implicated him and said that you were in a mosque in a training camp in Afghanistan. However, this was a detainee whom Asif knew was mentally ill. Before Asif was told this the man was placed in a cell opposite him for about five days and then taken away and it was after that that Asif was accused. "***We could see the process by which the interrogators seemed to get excited, because they finally got some piece of 'real' evidence and simply didn't care that it had come from someone who was mentally unbalanced. One of the interrogators did also let slip that another detainee had identified us as the three who were in the video and said he'd seen us in Guantanamo Bay***." (Shafiq recollects examples of interrogators inventing 'information' about us, about the three, and then informing other detainees of it. For example, one detainee came back after interrogation and said he'd been told that Shafiq said that he and another detainee should not be put together because they were in dispute with each other which was completely untrue. Shafiq had never said anything like that.

303. ***"We were told by one Algerian (not one of the Bosnian Algerians) that he had been taken to interrogation and been forced to stand naked. He also told us he had been forced to watch a video supposedly showing two detainees dressed in orange, one sodomising the other and was told that it would happen to him if he didn't cooperate."***

304. An issue that all three men have concerns about is the treatment of those detainees from countries with a worse human rights record than the UK. Whilst in the Chinese block Asif managed to understand from one of the other detainees that they had originally all denied they were from China. They had apparently said they were Afghani. He says that they were very rarely interviewed. Eventually the Americans told them that if they admitted where they were from they would not tell

their governments (it seems they did not know if they were Chinese or from one of the Southern republics due to their dialect). The detainees admitted to being Chinese and within one month Chinese officials arrived to interrogate them. The Chinese officials told them that the US had provided full co-operation. If they are returned to China they will all be executed. All three men report similar concerns in relation to the Russian detainees. It seems that a number of these (possibly 20) have been returned to Russia and their fate is unknown.

8. David Hicks

305. Asif says "***I first saw David Hicks in Camp X-Ray. He was a very surprising sight. A tiny white guy not more than 5'3" with a lot of tattoos on him. He told us he had endured an extremely bad experience having been held on a ship where he had been interrogated by Americans and hooded and beaten. Despite that experience, he was in better shape then that he was when we last saw him in Mike block. We thought that he had gone downhill. By downhill we mean that he seemed to be losing all hope and more willing to co-operate as a result. We were interrogated a lot but he used to get interrogated every two to three days, sometimes every day. He was told that if he didn't cooperate he would never go home. It started when he was moved to Delta, that he began to be moved all the time. They wouldn't let him settle with anyone. We met him again in Mike block after Delta and had the impression that he was being forced to make admissions, the "force" consisting of offers of benefits if he co-operated and removal of anything that could make life slightly easier if he did not. We were aware for instance that he needed essential medical treatment for a hernia and that he was told he would only get it if he cooperated. We do not know the reason for his appearance when he arrived at Mike block; he had always been proud of his hair, but when he arrived there his head hair was shaved off, although he still had a beard. We were told by some guards that he was taken to Echo after he started co-operating and that in Echo he had access to more basic comforts as a reward, although It is our understanding that he was in Camp Echo i.e. in complete isolation from the summer of 2003 onwards and we presume still there, where***

the only people he could communicate with would be interrogators. The same guards also told us that he had been taken out of Echo for another operation, but we don't know if that is correct

9. The Kuwaitis

306. **'*Fouad Mahmoud Al Rabiah was a businessman, we understand, who had studied in America and graduated from Miami in aeronautical engineering. To us he sounded Scottish. He had lived in England/Scotland for approximately ten years. He was given a particularly hard time, being constantly moved around, every two hours, after General Miller came to the Camp. He took his polygraph test and passed a long time ago and was initially sent to the best section of the Camp but then brought back again after a while. He got extremely harsh treatment including short shackling. Because he was educated, we understand, wealthy, and they were determined that he had to be part of a cell. We understood that he was seized in Pakistan, basically sold by the Pakistanis and then the Americans invented accusations to try and fit. In 2004 the Kuwaiti government came and told all the Kuwaitis that they would be going home in June. When they wanted to know what would happen to them when they got home, they were told "you will find out when you get home." We could see that he was suffering from serious depression, losing weight in a substantial way and very stressed because of the constant moves, deprived of sleep and seriously worried about the consequences for his children. Every father in the camp had a huge worry about his family which added to the stress.'*** Shafiq recollects when he was next to him in isolation that he was suffering from serious stomach pains and that medication was denied. He was told that he couldn't receive medication unless he cooperated.

10. Other detainees (including detainees sold to the Americans)

307. Asif describes a disturbing number of detainees who have clearly been sold. All three are convinced that there must be a paper trail which will show huge sums of money paid out by the USA for many of those now in Guantanamo. These are some examples (some of the names are familial names, as is customary).

a) ‘Two brothers from Pakistan, one is a scholar the other a reporter, reason they are there because they were having a feud with another family, the other family told some people they are al Qaeda now they are in Cuba. Both were sure that the Americans were paying money for captives.

b) Numerous other people in Cuba who are from Afghanistan and Pakistan were sure they had been sold by corrupt individuals. A lot of people who were having land disputes were sold by the disputers to the Americans. These people were brought to Cuba. The Americans know they are innocent but still they are not letting them go.

c) Abu Ahmed Makki, a Saudi Arabian citizen married to a Pakistani wife lived in Pakistan with his wife and was arrested in Pakistan by the Pakistan authorities. Most of his possessions were taken including his motorbike and cash. Upon his release in Pakistan by the authorities he asked for his valuables back but he was re-arrested and handed over to the Americans who took him to Cuba and he has been there for over two years. He was told he should not be there but they wanted him to spy in the camp for them. He was told once he had cooperated and helped the Americans they would release him.

d) Abu Ahmad Sudani, a teacher in Pakistan who has a wife and a child in Pakistan believes he also was sold to the American forces. He was told that he would be released over a year ago but he is still in Cuba. He doesn’t know when they will release him to. He wants to go to Pakistan because his wife and child are in Pakistan. His wife and child are Pakistani nationality and he is a Sudani.’

e) One Afghani man, a farmer about 55 years old, is a farmer from Bamyam. He was next to Shafiq. He speaks Farsi and although in Cuba for over a year was only interrogated on two occasions; on one occasion there was no Farsi translator and he was brought back to his cage. He does not know what he has done to be in Cuba. He doesn’t even know where Cuba is! He is depressed, scared and badly affected.

11. Camp Four

308. Asif says '***numerous other detainees have been told that their interrogation has finished, they have passed numerous tests e.g. lie detector, stress analyser test. They have been taken to Camp 4 but they still have not been released.***

309. ***It is called a medium security section. When we were in Guantanamo there were four blocks. One block has four bays in it. Each bay has ten or twelve people in. Instead of wearing orange they all would be wearing white. These are the detainees who are always shown on TV playing football. They don't wear chains or shackles. They are said to be people who are about to go home but they yet have been there about one year. These are examples of the hundreds of people who should never have been in Cuba in the first place. The authorities seem paralyzed. They can't send them home, they don't bother to interrogate them so they are just stuck.'***

Shafiq Rasul

Asif Iqbal

Rhuhel Ahmed

26th July 2004